

THE BOOK OF MARRIAGE, DIVORCE & IDDAH

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MARRIAGE AND RELATED MATTERS.

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years of age and she commits sin, the guilt of that sin rests on him. (Bai Haqi)

These two Ahadith carry significant counsel.

GIVE A GOOD NAME:

The first thing that is advised is to give good names to one's children. It is the duty of the parents and a right of the children that they be given good names. A Hadith tells us, "On the Day of Resurrection you will be called by your names and the names of your fathers. Therefore, have good names." (Abu Dawood)

Another Hadith tells us that the angels carry the soul of a Believer to the Heavens, then wherever they come across other angels the latter ask them "Who is this pure soul?" The former gives them in answer the best of the names by which the person was called in his life and the name of his father. As against this, when the soul of an unbeliever is being carried away, the angels that are met on the way ask the carrying angels "Who does this vile soul belong to?" In reply they call out the worst of the names by which the person was known in his life and the name of his father and the door of the skies is not opened for him. (Mishkat)

Hazrat Aishah رضى الله عنها has said that the Holy Prophet ﷺ always changed a name that was derogatory or bad.

ان النبي ﷺ كان يغير الاسم القبيح (ترمذی)

It is the duty of parents to give good names. Names speak out that a person is the slave of Allah and emit the fragrance of Islam and belief. The Holy Prophet ﷺ said, "Give the names of the Prophets, the names dearest to Allah are Abdullah and Abdur Rahman and the worst of names are Harb and Marrah." (Mishkat)

Harb is warfare and Marrah is bitter. The Holy Prophet ﷺ called these the worst of names. Man is created for goodwill and compassion. Islam teaches us to compromise and promote security. How can a name meaning 'warfare' be acceptable. A Believer is taught to be well mannered and good-natured and to be loving, then how can a name that means 'bitter' apply to him. The Holy Prophet ﷺ liked us to keep the names Abdullah and Abdur Rahman and in days gone by, parents gave such names and the names: Abdur Rahim, Abdul Karim and the like that implied servitude to Allah, or they gave the names of Prophets عليهم السلام and these qualities reflected in the lives of the believers of the names. There are some people even today who adopt the teachings of the Ahadith in this regard. However, most of the people have chosen new names and we have 'Parveen' 'Parwaiz' 'Ghazala' and 'Shaheen'. As for 'Parwaiz' it was the name of that king of Iran who tore up the letter of the

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Prophet ﷺ that he had written to him inviting him to Islam; it is very foolish to give someone the name of this enemy. 'Shaheen' is the word for hawk and 'Ghazala' for deer. How is to forgo good meaningful names and choose names of animals? We have written a booklet on Islamic names that may be consulted.

Some women use charms and name their children accordingly. Thus if they place the charm in an ear-ring, they call him 'Bunda' after the ear-ring, and so on. These things are a form of idolatry or associating partners with Allah. I have come across a man named Kura (dirt). People claim such names augur long life for the bearer. This is also idolatry. The latest thing is to use Western names and parents are called 'daddy' or 'mummy'. Children are given names of shameless men and women who work in films. They do not consider it necessary to keep alive the name of righteous people but endeavor to give currency to names of shameless people. To Allah we belong and to him is our return.

GUIDE CHILDREN TO A RELIGIOUS LIFE:

The second advice is to teach children manners. Etiquettes of worship include compliance of one's religious duties and social manners is to behave in a manner that no one is inconvenienced. Parents today ignore teaching these things to their children. They do not put them on the path of Allah and do not teach

Islamic manners. However, they follow the immodest ways of the west and put their children on that road. A child who is unable to recite the *Kalimah* knows how to wear a trouser and to wear a tie. What is it that parents do? They do not justify their Islamic way of life but adopt everything that is from the west. May Allah cause us to understand.

CAUSES OF DELAY IN MARRIAGE:

The third advice is to marry off children when they attain puberty. These days this advice is ignored to allow children to continue with their education. Even girls do not marry although they reach the age of thirty years and more. First, it is because they may pursue their education and then it is because they do not find a match (equally educated). If there is a boy as highly educated, he has his eyes on a Western lady. When marriage does not take place and sex is excited especially from viewing sexual films, the result is sex outside marriage and plethora of babies on the streets who have no parents to care for them. While the sin is on the perpetrators, it also falls on parents who allow delay in marriage of their children. Where parents do try to coax their sons and daughters into marriage the children do not agree, the parents are absolved of all sin.

Women do not need to obtain education to the level of B.A., M. A., Ph.D., or Doctors of

medicine. In Islam the husband is responsible for the household expenses. It is not necessary for a girl to go to college. She must study the Qur'an, religious teachings, and what is necessary of accounts in the seclusion of her home.

The Hadith No 124 quoted earlier prescribes that a girl may be married off when she is twelve years old. This is the time when girls generally attain puberty. If it takes some time to find a pious boy for her, it does not matter but parents must not delay the search and the marriage.

Modern people may find our ideas unacceptable but it is like medicine. However unpalatable the dose has to be swallowed. Similarly, those who do not pursue the true path must listen to the advice and reform to attain success in this life and in the next.

NOTHING IS BETTER THAN MARRIAGE TO PROMOTE LOVE

وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ قَالَ رَسُولُ
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Hazrat Ibn Abbas رضي الله عنه has said that the Messenger of Allah ﷺ said, "You have not seen anything like marriage for increasing the love of two people." (Mishkat)

EXPLANATION:

People love and hate and the reasons behind this behaviour are different. The Holy Prophet ﷺ said, that of the things that promote love, marriage is the best. It increases love between the partners and keeps it intact. The two are from different families, sometimes different people one an Arab and the other non-Arab, or one an Asian the other an African and so on. Once they marry, they give their lives for each other and promise to live together for the rest of their lives. Men and women also claim to love each other outside marriage but that claim is fake. Once they get their pleasure or what they want, they part company. They call this love. Marriage is contracted on a permanent basis. It is for this reason that Hadith has termed divorce as something that causes hatred. Marriage is contracted not merely to satisfy sexual desires. The man raises himself in status and becomes a man of family and the woman becomes the queen of her house. Both of them share the joys and sorrows for the rest of their lives. This thing is not found in the fake love without marriage.

Further, husband and wife are instrumental in promoting love in many families together. Members of different families attach to one another and a brotherhood is established among them.

THAT MARRIAGE IS MOST BLESSED WHEN EXPENSES ARE LOWEST ON IT

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إِنَّ أَعْظَمَ النِّكَاحِ بَرَكَهَ أَيْسَرُهُ مَوْنَةً.

(راوه انبيہتی فی شعب الایمان)

According to Hazrat Aishah رضى الله عنها the Prophet ﷺ said, "The marriage that involves least burden is one that produces most blessing." (Bai Haqi)

EXPLANATION:

Thus, a minimum of expenses must be made on a marriage. The fewer the expenditure, the more the blessings on both parties. This marriage will be a means to blessings in both this and the next world.

The marriages concluded by the Prophet ﷺ were very simple affairs. The same may be said of the marriage of his daughters. His marriage with Hazrat Aishah رضى الله عنها was concluded in Makkah but it was not until after Hijrah to Madinah that the bride arrived at his home. It is worth mentioning how simple this event was.

Hazrat Aishah رضى الله عنها was playing with her friends in a neighbouring house when her mother summoned her. She asked some women to make her presentable. Then they left her alone in the room. It was forenoon (*chashit*). After a little

while the Holy Prophet ﷺ arrived there. This was the culmination of the wedding. Neither was the bride placed in the *palki* (a large box with horizontal poles carried by few men and serving to carry one person, sometimes a bride) nor did the bridegroom ride a horse. There was no other item of expenditure.

The Holy Prophet ﷺ had four daughters. They were Hazrat Zaynab, Umm Kulsum, Ruquayyah, and Fatimah رضى الله عنهن. All of them were married and sent to their houses in a very simple manner. (For more information on the honourable daughters of the Prophet ﷺ see my book in Urdu Rasulullah ki sahibzadiyan.)

Hazrat Fatima رضى الله عنها was the most loved of the daughters of the Prophet ﷺ and she enjoyed a high rank. The Prophet ﷺ called her the chief of the ladies of Paradise. She was married to Hazrat Ali رضى الله عنه. At the time of the wedding, he did not have a house even. He took a house from a Companion رضى الله عنهم where the bride was received. She was sent there with Hazrat Umm Ayman رضى الله عنها. The bridegroom did not come to collect her and she was not sent on any conveyance.

As for the dowry, the Holy Prophet ﷺ gave her a sheet, a pillow, two handmills and two containers for water. The pillow was cased in leather and filled with date-skin. (al-Asabah) Some versions say there was a bed, a bowl and two silver bracelets.

THE DOWER OF PROPHETS WIVES AND DAUGHTERS

According to Hazrat Umar رضي الله عنه (he said) "I am not aware of the Messenger of Allah ﷺ marrying any of his wives or giving any of his daughters in marriage for more than twelve and a half *uqiya*s." (Mishkat)

One *uqiya* is equal to forty dirhams. On today's value it is about 131 tola silver and about rupees one thousand which may be ascertained at the time of paying it. Today dower in thousands of rupees is promised in the presence of a large number of people but never transfers hands so that the husband dies carrying the debt of his wife on his shoulders.

The Holy Prophet ﷺ not only told us to be simple in marriage, he ﷺ set us examples in his own and in daughters marriages of extreme simplicity. He also told us that the fewer the burden, the more the blessings from the marriage. We have made the wedding a burdensome affair. We have incorporated the customs of non-Muslims and vie with each other to keep our head high. Money is borrowed on interest to meet the expenses although interest dealing are disallowed in Islam. A large dowry is given. A heavy expenditure is incurred on a lavish feast and on the invitation cards. This is ostentatious behavior to impress people.

Once the Holy Prophet ﷺ married during a journey. The bride was also given away at that

time and the wedding feast was held too. There was nothing showy about it. On the table spread were placed some butter oil, some dates and some cheese. The bride was Hazrat Safiyah رضي الله عنها.

If we agree to follow the example of the Prophet ﷺ, we will not have to follow any custom and have any function. A man and a woman agree to live together as husband and wife as prescribed by *Shari'ah*. There is no headache in this little thing. We are surrounded by difficulties because of the restrictions we have placed on ourselves. From the time of engagement to the wedding a heavy expenditure is incurred. Many forbidden and disliked things are done. The detestability of the customs in vogue (in our marriages) are pointed out by Maulana Ashraf Ali Thanvi in his books *Islah ur Rusum* and *Bayhasti Zaywar* (part 6). (These books are in Urdu.)

CUSTOMS IN MARRIAGES

Women have bound themselves to perform these customs in wedding although they ignore what is obligatory (by way of *fard* or *wajib*) and even neglect ritual prayers that they may not forego these self-implicated customs. Those who fail to go by these customs are regarded with disdain.

Too much money is wasted on songs and dances in a marriage ceremony. Without these

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Too much money is wasted on songs and dances in a marriage ceremony. Without these

items the wedding is said to be incomplete. This in spite of the saying of the Messenger of Allah ﷺ:

أَمَرَنِي رَبِّي بِمَحَقِّ الْمَعَازِفِ وَالْمَزَامِيرِ وَالْأَوْتَانِ
وَالصُّلْبِ وَأَمْرِ الْجَاهِلِيَّةِ

"My Lord has commanded me to disband musical instruments and remove the idols, the crucifix and the things of *Jahiliyah* period (the period of ignorance). (Mishkat)

It is sad that Muslims adopt those very things that the Prophet ﷺ said that he was sent to eliminate. To top it all the loud speaker plays the songs while people offer prayers in the mosques and sick people lie on their bed uncomfortable from this neighborhood nuisance.

There was a time when Muslims opposed the Hindus who played music near the mosques. Today, it is a Muslim who plays music in front of the mosque and blare songs in the ears of those who offer prayers.

It is unlawful to receive money against the bride or bridegroom. Some people demand money when they consent to give their daughter in marriage and some do so when they consent to marry their son to someone's daughter. This is considered bribery and is, therefore, unlawful and it is also contrary to the foregoing Hadith. How may the burden be lessened when demands are made by either of the parties. Sometimes, a match

is not found for the want of money to meet the demands and the son or daughter reaches forty years of age.

PERMISSION OF AN ADULT GIRL IS NECESSARY

وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ قَالَ رَسُولُ
اللَّهِ ﷺ لَا تُنْكَحُ الْيَتِيمُ حَتَّى تُسْتَأْمَرَ وَلَا تُنْكَحُ الْبِكْرُ
حَتَّى تُسْتَأْذَنَ قَالُوا يَا رَسُولَ اللَّهِ وَكَيْفَ إِذْنُهَا قَالَ أَنْ
تُسَكَّتَ (رواه البخارى و مسلم)

Hazrat Abu Hurayrah رضي الله عنه said that the Messenger of Allah ﷺ said, "A woman without a husband (that is, whose husband has died or divorced her and she has gone through the *iddah* or waiting period) must not be married till she is consulted, and a virgin must not be married till her permission is asked." The Companions رضي الله عنهم asked, "O Messenger of Allah ﷺ! How is her permission known." The Prophet ﷺ said, "When she says nothing on being asked, it indicates her permission."

(Bukhari, Muslim)

A guardian is authorized to marry a boy or a girl who has not yet attained puberty to someone without obtaining the consent of the boy or girl. Even if such a child refuses to marry, the guardian can have it married. *Shari'ah* has

authorized the guardian to do so because sometimes a suitable match is found and this opportunity would otherwise be lost. If the good of the boy or girl is the motive and principles of *Shari'ah* are respected then the marriage may be performed. However, if a guardian is motivated by his personal interest and the good of the child is not considered, then it is not correct to marry the child. Under certain circumstances, the marriage is void, while in others the child may get it nullified by approaching proper authorities.

A wrong impression persists in the minds of the common folk. They reject outright that a guardian may marry a child against its will or without its permission. When *Shari'ah* has permitted such a marriage, how may we alter its regulations?

The Holy Prophet ﷺ showed us by his marriage to Hazrat Aishah رضى الله عنها when she was six years old, that this kind of marriage is legal. The bride was sent off to her husband at a later date. To enact a law against this is to rebel against *Shari'ah*. Of course, it is not obligatory (Fard or wajib) to marry a child on a guardians decision; sometimes many difficulties are faced later if a child is married and much caution is to be exercised. We will discuss this matter later on, *Insha Allah*.

The foregoing Hadith tells us that an adult girl who has not been married previously may be

married after obtaining her permission. Her permission may be obtained by telling her everything of the match - his family background, monetary position, etc. If she keeps quiet on hearing this, it is tantamount to having given her permission. If she speaks out her consent then this is the best sort of permission. If she rejects the proposal, it is not correct to marry her to this boy. If a guardian marries her in spite of her rejection, the marriage is void. Some people out of sheer ignorance, disregard the refusal of the girl and marry her and compel her by force to go off to the person to whom they have married her. This marriage has not taken place legally because of her refusal and the two persons will live in adultery. The guardians do it to honour their promise or to keep their status in society unblemished but they violate *Shari'ah*.

Jurists have contended that when an unmarried adult girl is asked about a proposal and she laughs, smiles or weeps without saying anything, it is the same as having given her consent. However, this behaviour should not be in a manner of denial.

وَالْمُعَوَّلُ إِعْتِبَارُ قَرَائِنِ الْأَحْوَالِ فِي الْبُكَاءِ وَالضَّحْكِ
فَإِنْ تَعَارَضَتْ أَوْ أَشْكَلَ أَحْطِطَ - (رواه الشامي عن الفتح)

VERBAL CONSENT IS NECESSARY

As for the girl who has been married already and either because she is a widow or a divorcee who has passed the prescribed waiting period she is being remarried now, her verbal consent is essential. If she does not give an answer, it is not the same as giving a consent. Verbal consent is essential in clear words. As for the virgin whose remaining quiet is regarded as an affirmative answer, so long as the guardian who puts the question is the closest relative. If a guardian other than the closest relative puts the question only that consent will be considered reliable that is in clear words. This must be understood.

MODERATION IN SHARI'AH

Where an adult girl is given authority so that she may not be married without her consent her modesty has been kept in consideration and she is not required to speak it out. Her silence is tantamount to her consent. If she rejects the proposal her guardian cannot compel her to marry against her will. When an adult girl had been married once, her verbal consent is necessary because she has crossed the barrier once and may not feel as ashamed as a virgin. When a virgin girl is not asked her opinion on the proposal by a guardian who is close to her, she must speak out her consent. This is because a distant relative may not keep her interest in mind as a close relative would.

MARRIAGE OF MINOR GIRL

Some families and people of some areas have made it a rule to marry boys and girls before they attain puberty. While this practice is lawful, it is not obligatory. It is not necessary to marry children while they are yet minors without any compelling reason. Often it happens that children when they grow up refuse to honour the commitment. Parents insist that the marriage be consummated and the girl be sent to the bridegroom, but the children refuse to comply. Keeping in view the tendency among children to form their own opinion, this practice must be avoided and a decision taken in the light of the opinion of the children. Sometimes, the boy turns out to be a bad character when he matures. In such cases, the parents of the girl are in a quandary. If they send the girl off, she is placed in great difficulty. If they ask the boy to divorce the girl, he refuses to oblige. The best course is to avoid this situation. However, the law if it disallows the right to marry a minor is against *Shari'ah*, the driving force must be the good of the children.

CONSIDERATION OF GIRLS CONSENT

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marriage. It is essential among them to marry the son and daughter of a family to the daughter and son of another. If a girl is not given by a father, he will not receive a girl for his son too. Interest of children are never considered. It is not seen what the condition of the boy is. He may be very old, ugly, and so on. But the girl will have to cope with him. *Shari'ah* has allowed girls a status that must be respected. She cannot be thrown out just like that.

ACCEPTING MONEY AGAINST A GIRL IS FORBIDDEN

It is unlawful to demand money for a girl. Some people collect a lot of money when they give their girl in marriage. This is bribery and unlawful. Those who lay claim to piety are also involved in this practice. They limit piety to offering *salah* and observing *fast*. To keep away from the unlawful is no consideration before them. It is like business and they settle where they get more money without respecting the interests of the girl. This is also cruelty because the girl goes on denying consent but they pay no heed to her and marry her at their discretion.

INJUSTICE TOWARDS GIRLS

Girls are subjected to another form of cruelty. Certain people are used to killing and murder. It happens that a man is killed by some people. When the killers are arrested an agreement is arrived at whereby the heirs

demand some money and ask for a specified number of girls of the killer's families to be married to their men. The killers save their skin, but destroy the poor girls by giving them in marriage to old men. The punishment is meted out to the poor girls while the killers are set free.

Summary:

The gist of the discussion is that

- (i) Boys and girls who have not attained puberty are not married at their will but their guardian decides for them for the best of their interests and never for his own personal ends.
- (ii) Children who have attained puberty may be married by their consent; the guardian cannot compel them against their will. If they have appointed the guardian as their attorney for this purpose then he is authorized to marry them as per their choice if they have so restricted him or as per his choice if they have allowed him liberty to choose for them.

However, as an attorney he will safeguard the interests of the children. If the children have asked him to marry them to someone which according to the attorney is against their interests, he must explain to them the drawbacks, but if they do not pay heed and go ahead with the marriage, it is valid (unless any *Shari'ah* injunction is violated).

AFTER TAQWA, BEST THING FOR A MAN IS A PIOUS WIFE

وَعَنْ أَبِي أُمَامَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ أَنَّهُ
كَانَ يَقُولُ مَا اسْتَفَادَ الْمُؤْمِنُ بَعْدَ تَقْوَى اللَّهِ خَيْرًا لَهُ
مِنْ زَوْجَةٍ صَالِحَةٍ إِنْ أَمَرَهَا أَطَاعَتْهُ وَإِنْ نَظَرَ إِلَيْهَا سَرَّتْهُ
وَإِنْ أَقْسَمَ عَلَيْهَا أَبْرَتْهُ وَإِنْ غَابَ عَنْهَا نَصَحَتْهُ فِي
نَفْسِهَا وَمَالِهِ (رواه ابن ماجه)

Hazrat Abu Umamah رضي الله عنه said that the Prophet ﷺ used to say, "After *Taqwa* (fear of Allah), a Believer gains nothing better for him than a good wife who is righteous and obeys him if he gives her a command. She pleases him if he looks at her. She is true to him if he adjures her to do something (that is according to *Shari'ah*). She is faithful and sincere to him regarding her person and his property if he is absent."

(Ibn Majah)

When anyone is God-fearing, he is blessed because this is true piety. It is synonymous with meeting one's obligations (of *fard* and *Wajib*) and refraining from the unlawful things. It brings a person nearer to Allah. Other blessings are lesser than the blessing of *Taqwa* but they are also important. The Holy Prophet ﷺ said that after *Taqwa* a pious wife is the most important

blessing.

THE QUALITIES OF A PIOUS WIFE:

- (i) She is obedient to her husband and does not displease him by her disobedience. However, no one may be obeyed if he commands something against *Shari'ah* because that means disobeying Allah.
- (ii) She keeps herself such as her husband likes her to be. When he sees her, she pleases him. Some women are always displeased and keep an angry look on them. Some are always complaining about one or other sickness. Some are always in an unpresentable state and dirty. The husband then does not like to go home. Some of these women present themselves as pious because they offer their prayers and fast. However, a pious woman is described as one who pleases her husband when he looks at her, but she must not obey him when he makes demands that contravene *Shari'ah*.
- iii) When a husband adjures his wife to do something, she must obey him, if the act concerns her. This act must again be in line with *Shari'ah*. This sort of direction comes from a loving husband and is performed by a loving wife.
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- iv) If a husband goes out of the house, the wife behaves in regard to her person and

his property as though he were there, before her. An honourable husband does not like his wife to see or meet another man. A woman must not talk to another man whether her husband is there or not. She must also look after his property when he is not there. She must not squander his property in his absence or give away to anyone. If she uses his possession against his will, it will be an act of misappropriation. A Hadith says:

لَا تَبْغِيهِ خَوْنًا فِي نَفْسِهَا وَلَا مَالِهِ.

(مشكاة المصابيح صفحہ ۲۸۳)

A QUESTION AND ITS ANSWER:

A question may arise concerning some women whose husbands take them out with strangers and let them talk and dance with them. Should these women meet strangers when their husbands are not there because this is done in their presence too? Is it then legal? There is no mistrust because the husband allows these things in his presence. Many men like their wives to be modern, have a large circle of friends and be sign of progress! The answer is that a Hadith tells us no Muslim can tolerate his wife speaking with another man or the hands of this man touching her; no Muslim woman would tolerate either than any stranger touching her. Those Muslims who like their wives to mix with strangers follow

the Jews and Christians. If their lives are scrutinized they will be devoid of any connection with Islam, the Prophet ﷺ, the Qur'an and the Hadith. While they are not Muslims in the true sense they are also not true human beings. About such people, the Hadith says:

NO UNDER TAKING FOR SHAMELESS

ثَلَاثَةٌ قَدْ حَرَّمَ اللَّهُ عَلَيْهِمُ الْجَنَّةَ مُدْمِنُ الْخَمْرِ وَالْعَاقُ
وَالَّذِي يُقْرِئُ أَهْلَهُ الْخُبْرَ.

(رواه احمد والسنائي)

Paradise is forbidden to three types of people (i) the habitual drinker, (ii) he who gives trouble to his parents and (iii) a wittol (who uses his wife to lead a sinful life and encourages her to go about unveiled and to mix freely with strangers).

We have already stated that a husband should not be obeyed when he asks for something to be done that is in disobedience to *Shari'ah*. This applies to his demand for giving up the veil.

ONE OF THE QUALITIES OF A WIFE IS TO HELP HER HUSBAND IN MATTERS OF FAITH:

Some qualities of a pious woman are mentioned in this Hadith. In another Hadith one more quality is described. The honourable Companions رضى الله عنهم said that if they had

known the possession that was the best for them they would have obtained it. The Holy Prophet ﷺ said,

أَفْضَلُهُ لِسَانٌ ذَاكِرٌ وَقَلْبٌ شَاكِرٌ وَزَوْجَةٌ مُؤْمِنَةٌ تُعِينُهُ
عَلَى إِيْمَانِهِ - (رواه احمد و الترمذى و ابن ماجه)

"The best possession is the tongue that remembers Allah and the heart that is grateful and thanks Him, and the Believing woman who aids her husband in matters of faith."

(Tirmizi, Ibn Majah)

Anything that is useful in furthering one's cause is his wealth or possession. People generally consider assets of silver and gold as wealth but the Hadith tells us what are other possessions. They are described as best of possessions and useful in furthering one's cause. The tongue that is occupied in *zikr* and the heart that is thankful are the best of one's wealth. And a wife who helps her husband in religion is a great wealth too. Mulla Ali Qari رحمه الله عليه explains this in *Mirqat Sharah of Mishkat*.

أَيُّ عَلَى دِينِهِ بِأَنْ تُذَكِّرَهُ الصَّلَاةَ وَالصَّوْمَ وَغَيْرَ هَٰمِنَ
الْعِبَادَاتِ وَتَمْنَعُهُ مِنَ الزَّانَا وَسَائِرِ الْمُحَرَّمَاتِ -

"To help him in religion is to remind him of the times of prayer, fasting and other forms of worship and urge him to observe them. She

restrains from adultery and other forms of sin."

The truth is we need such a wife today. She would be religious herself and bring her husbands children to this thinking. However, the tables are turned today. When a husband tends to be religious and offers his prayers regularly and observes other duties, where other people hinder him his wife also tries to restrict him away from that life. He is called a Mulla and discouraged from wearing a beard, wearing a proper dress and encourages him to receive bribe, etc. O Allah! We need Believing women. Grow sense of faith in men and women, all of us. *Aameen!*

TWO PECULIARITIES ADORN THE BEST WOMEN

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اللَّهِ ﷺ خَيْرُ نِسَاءٍ رَكِبْنَ الْإِبِلَ صَالِحُ نِسَاءٍ قُرَيْشٍ
أَحْنَاهُ عَلَى وَلَدٍ فِي صِغَرِهِ وَأَرْعَاهُ عَلَى زَوْجٍ فِي ذَاتِ
يَدِهِ - (رواه البخارى و مسلم)

Hazrat Abu Hurayrah رضي الله عنه has said that the Messenger of Allah ﷺ said, "The best of the women who ride on camels are the good women of Quraysh, for they are the most affectionate to small children and the most careful of what belongs to their husbands."

(Bukhari, Muslim)

EXPLANATION:

Men and women both used to ride on camels, therefore, the Prophet ﷺ has referred to them as such. The pious women are particular about two things: rear children with love and compassion and taking care of the possession of their husbands. To show compassion to her children is natural to a mother but the Holy Prophet ﷺ lauded it and described it as a pious deed.

Although every Muslim mother and non-Muslim looks after her children, if a Believing mother proposes to do so for the pleasure of Allah and as part of religious duties, she will earn a reward on doing so while she meets her natural tendencies at the same time. This reward will be augmented if she gives the child proper religious upbringing. Then if these children continue this process with their sons and daughters, the reward will be credited to the grand-parents as it will accrue to the parents of the children. Compassion and love does call for feeding and tending to children when they are healthy and when they are ill. True love is to guide them in religious matters for that will save them from punishment in the grave and in the next world.

Many people care for the physical needs of their children but neglect their religious training. This is a serious mistake. If children are allowed comfort in this life, how is it they are not to be

comfortable after death? Similarly, those people are also to blame who teach their children to fulfil their religious duties but do not spend on them although they can afford to do so. They neglect this duty because of their miserliness. One must be moderate in these affairs.

It is to be observed that the words in the Hadith do not describe the woman as compassionate to her children but 'affectionate to small children.' Thus, all children that happen to be under her care may be looked after with compassion.

Many women are married to men who have children by their first wives. Such women are generally rude to their step-children. Very few are compassionate and loving to them and in rearing them up. Some women spend heavily on their own children by their earlier marriages but are niggardly with their step-children although these children have a greater right on their father's money. Her children from an earlier marriage are not related to her new husband. Such women must know that it is very rewarding to tend and care for the children of her husband from his previous marriages (whether their mother is dead, divorced or *still in marriage bonds with this man*).

CHILDREN OF BROTHERS-IN-LAW AND SISTERS-IN-LAW:

In the same way, if a woman is called upon to nurture the children of her brothers, sisters, brothers-in-law or sisters-in-law, she must take it up unflinchingly and give them her love and compassion. She must see to their needs. Sometimes some of these children become orphans. It fetches reward for the woman who cares for the children. Such children must be reared with full religious zeal.

IT IS PART OF FAITH TO CARE FOR THE WEALTH OF ONE'S HUSBAND:

The Hadith eulogizes woman of Quraysh as taking care of her husband's property more energetically than other women. It is part of religious effort to care for the possessions of one's husband. A woman must be judicious in spending from the wealth of her husband who is responsible to earn and bring home the money. He cannot be at home all the time so he deposits his earnings with his wife who must be careful in spending it and keeping the rest as a trust.

PREFER FOR YOUR DAUGHTERS GOOD-NATURED RELIGIOUS HUSBANDS

وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ إِذَا حَاطَبَ إِلَيْكُمْ مَنْ تَرْضَوْنَ دِينَهُ وَخَلْقَهُ فَزَوِّجُوهُ إِنْ لَا تَفْعَلُوهُ تَكُنْ فِتْنَةٌ فِي الْأَرْضِ وَفَسَادٌ عَرِضٌ. (رواه الترمذی)

Hazrat Abu 'Hurayrah رضی اللہ تعالیٰ عنہ said that the Messenger of Allah ﷺ said, " When someone with whose religion and character you are satisfied asks your daughter in marriage, accede to his request. If you do not do so there will be temptation in the earth and extensive corruption. (Mishkat, Tirmizi)

Marriage is instrumental in continuing the human race. Rules and regulations about marriage may be found in the Qur'an and the Ahadith. The Hadith under discussion gives an advice on this matter which if ignored will result in corruption and disorder in the land. It is enough to verify the manners and religious status of a proposer.

WEALTH SHOULD NOT BE A CRITERIA

Do not measure a proposal by the monetary standing of the proposer. If the boy is irreligious he will not let his wife perform religious duties.

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In the same way, if a woman is called upon to nurture the children of her brothers, sisters, brothers-in-law or sisters-in-law, she must take it up unflinchingly and give them her love and compassion. She must see to their needs. Sometimes some of these children become orphans. It fetches reward for the woman who cares for the children. Such children must be reared with full religious zeal.

IT IS PART OF FAITH TO CARE FOR THE WEALTH OF ONE'S HUSBAND:

The Hadith eulogizes woman of Quraysh as taking care of her husband's property more energetically than other women. It is part of religious effort to care for the possessions of one's husband. A woman must be judicious in spending from the wealth of her husband who is responsible to earn and bring home the money. He cannot be at home all the time so he deposits his earnings with his wife who must be careful in spending it and keeping the rest as a trust.

PREFER FOR YOUR DAUGHTERS GOOD-NATURED RELIGIOUS HUSBANDS

وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ إِذَا خَاطَبَ إِلَيْكُمْ مَنُ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَرَوْجُوهُ إِنْ لَا تَفْعَلُوهُ تَكُنْ فِتْنَةٌ فِي الْأَرْضِ وَفَسَادٌ عَرِضٌ. (رواه الترمذی)

Hazrat Abu 'Hurayrah رضی اللہ تعالیٰ عنہ said that the Messenger of Allah ﷺ said, " When someone with whose religion and character you are satisfied asks your daughter in marriage, accede to his request. If you do not do so there will be temptation in the earth and extensive corruption. (Mishkat, Tirmizi)

Marriage is instrumental in continuing the human race. Rules and regulations about marriage may be found in the Qur'an and the Ahadith. The Hadith under discussion gives an advice on this matter which if ignored will result in corruption and disorder in the land. It is enough to verify the manners and religious status of a proposer.

WEALTH SHOULD NOT BE A CRITERIA

Do not measure a proposal by the monetary standing of the proposer. If the boy is irreligious he will not let his wife perform religious duties.

If he does not offer prayers, he will not let her offer prayers and if his income is not lawful earning he will feed his wife the unlawful. Both of them will then suffer the chastisement of the Hereafter. If a wealthy worldly man is preferred to a religious man, perhaps the girl will pass her life in comfort but she will have difficulties in the next life. No one will like to see his daughter in the fire yet he throws her into the fire of the Hereafter when he marries her to an irreligious man only because he is wealthy.

Some people argue that girls do not prefer men who are religious. Why is it so? It is because we have given up religion and religious teachings in our homes. We do not give our children religious books to read and know. The moment a child gains some awareness, he is sent to school. Then, to college. In both the places he is driven away from religion.

THE CAUSE OF IMMODESTY

Girls are turned immodest and irreligious from education, reading novels, seeing television, going to cinema, moving about with strangers, and so on.

MARRY GIRLS WHO ARE RELIGIOUS DO NOT GO BY WEALTH, BEAUTY AND WORLDLY POSITIONS.

وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ قَالَ
رَسُولُ اللَّهِ ﷺ تُنْكَحُ الْمَرْأَةُ لِأَرْبَعٍ لِمَالِهَا وَ
لِحَسَبِهَا وَلِجَمَالِهَا وَلِدِينِهَا فَاظْفَرُ بِذَاتِ الدِّينِ
تَرَبَّتْ يَدَاكَ. (رواه البخارى و مسلم)

We learn from Hazrat Abu Hurayrah رضي الله عنه that the Messenger of Allah ﷺ said, "A woman is married for four reasons: her property, her rank, her beauty and her religion. So marry one for her religion; may you thus prosper!

(Bukhari, Muslim)

A PIOUS WOMAN IS THE BEST IN THE WORLD

وَعَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ قَالَ
رَسُولُ اللَّهِ ﷺ الدُّنْيَا كُلُّهَا مَتَاعٌ وَ خَيْرُ مَتَاعِ الدُّنْيَا
الْمَرْأَةُ الصَّالِحَةُ. (رواه مسلم)

Hazrat Abdullah Ibn Amr رضي الله عنه said that the Messenger of Allah ﷺ said, "The world, all of it, is something to benefit from. Of the things of the world a righteous woman is the best from

which one may benefit." (Muslim)

All human beings are alike. However, one is superior to the other because of his faith, good manners and righteous deeds. One is not superior over another because of the colour of his skin or his nation or his body. If a handsome man is devoid of feeling, his beauty will not qualify him as a humane person. Similarly, a man may enjoy high rank but if he is rude and outrageous he will not be a liked person. The same applies to a wealthy man who is miserly and greedy, his wealth does not elevate him above others. However, if anyone is religious and well-mannered and observes the teachings and example of the Prophet ﷺ, then he is a good human being. He suffers with other people their sufferings and is kind and well behaved with them. If a woman is married to such a man she will lead a happy life forever. The Holy Prophet ﷺ has said that if such a person proposes marriage with anyones daughter let him not reject the proposal. If this advice is not followed there will be disorder in the land. If the criterion for selecting a boy is wealth or worldly position, the woman will also become corrupt. Her life after death will be agonizing and life in this world will also be uncomfortable. One who submits to Allah, understands *Shari'ah* and gives the rights of other people. But one who disregards the rights of his Creator cannot be expected to give the

rights of fellow human beings.

Parents of girls do not consider whether a boy is religious or not. They only look at the material side and what the boy does in worldly matters. Then they suffer the consequences. These boys do not know the religious rights. They divorce their wives yet live with them on the supposition that the divorce has not taken place. Some of them leave their wives in the lurch after sometime neither divorcing them nor giving them maintenance. Some beat their wives mercilessly. The guardians of the girl approach the religious scholars to show them a way out but there is none. It was only at the time of marriage that they could have chosen a religious man, but they did not do for fear of putting their daughter in a religious surrounding.

They give their daughters to irreligious people and pious girls are also thrown away in this manner. Then, they are not allowed to pray or fast and are compelled to lead a social life giving up the veil. This is what the Hadith has said that disorder and corruption takes place. However, sometimes even people who appear religious also cause difficulty. They are not truly pious. A pious person is he who is good outwardly and inwardly.

Just as one must find a pious husband for his daughter, a pious wife should be sought too for one's son. The two foregoing Hadith impress upon us to find a pious wife for our son and a

pious husband for the daughter. If wealth and beauty are preferred over piety then they will not give each other's rights and the children will be irreligious too.

Many people prefer a beautiful woman but do not see that she is black at heart. She neither offers her prayers nor fasts but engages in backbiting day long. She does not see eye to eye with her mother-in-law or sisters-in-law and takes the income of her husband in her control so that she does not like her husband to spend on his mother, sisters or first wife and her children. She is a nuisance to her husband.

On the other hand, a religious-minded woman would urge her husband to meet the rights of his mother and father and other relatives.

The husband of today chooses an actress for a wife and the woman selects a musician or a film man. It is considered lowly to be religious minded but one would yet be known as a follower of Muhammad ﷺ. What a foolish attitude!

We have stated already that educated girls are a headache to society. They are given high education but when they look for a match they cannot find a suitable one. If they find one he places conditions that the parents of the girl cannot fulfil. The result is that there are girls in society who are thirty years old or more but unmarried. A girl who has been to college and

gives up the veil cannot be religious minded. She will not like a religious match who will not choose her. Thus, she remains unmarried or gets attached to an irreligious man. The children born to them are on the pattern of the Europeans.

أَعَاذَنَا اللَّهُ مِنَ الْفِتَنِ مَا ظَهَرَ مِنْهَا وَمَا بَطَنَ

We seek the protection of Allah from trials that are open and secret.

DO NOT PROPOSE TO ONE WHO HAS BEEN PROPOSED BY ANOTHER

وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ لَا يَخْطُبُ الرَّجُلُ عَلَى خِطْبَةِ أَخِيهِ حَتَّى يَنْكِحَ أَوْ يَتْرُكَ. (رواه البخارى ومسلم)

Hazrat Abu Hurayrah رضي الله عنه said that the Messenger of Allah ﷺ said, "A man must not propose to a woman when his brother has already proposed to marry her till he marries her or withdraws the proposal. (then he may propose). (Bukhari, Muslim)

Islam forbids the Muslims to cause difficulties for each other. Among the rights of Muslims over each other are: A Muslim must wish well for another Muslim and be compassionate to him whether he is present or absent. This also includes good behaviour when

a Muslim has proposed marriage somewhere. His proposal must not be interfered with either by pointing out defects or by making another proposal. In such cases, the guardian where the proposal is sent gets two in mind and rejects the first proposal. The Holy Prophet ﷺ has advised us not to counter a proposal but wait for the outcome. If they agree to marriage, then there is no question of proposing but if they have decided not to enter into marriage there is the opportunity to make the proposal.

CURSE OF THE ANGELS WHEN THE HUSBAND IS DISOBEYED

وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ إِذَا دَعَى الرَّجُلُ امْرَأَتَهُ إِلَى فِرَاشِهِ فَأَبَتْ فَبَاتَ غَضَبًا لَعَنَتَهَا الْمَلَائِكَةُ حَتَّى تُصْبِحَ (رواه البخارى ومسلم)

Hazrat Abu Hurayrah رضى الله عنه reported the Messenger of Allah ﷺ as saying, "When a man calls his wife to his bed and she refuses to come, so he spends the night in displeasure, the angels curse her till it is morning."

Women who disregard this Hadith must realize that their husbands are inclined to think of second marriage or turn to sin. The relation between a husband and wife is unique, such a relation cannot exist between any two other people. Therefore, they must tend to each other.

If they do not care to satisfy natural urges of each other then they will be committing excess against each other. The Holy Prophet ﷺ has given guidance to his people on practically every affair. May Allah cause every Muslim to follow the advice of the Prophet ﷺ. As regards, a woman not refusing to oblige her husband, it is subject to her being free from menstruation or any other bar. As for the use of the word 'night' it is used by way of an example but there is no restriction on having sexual intercourse in the night alone. A Hadith says:

إِذَا دَعَى الرَّجُلُ زَوْجَتَهُ لِحَاجَتِهِ فَلْتَاتِهِ وَإِنْ كَانَتْ عَلَى النَّوْرِ - (ترمذى)

"When a husband calls his wife to fulfil his desire, she must oblige even if she is at the fire (cooking something)."

THE HOURIS CURSE A WOMAN WHO DISPLEASES HER HUSBAND

وَعَنْ مُعَاذٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ لَا تُؤْذِي امْرَأَةً زَوْجَهَا فِي الدُّنْيَا إِلَّا قَالَتْ زَوْجَتُهُ مِنَ الْحَوَرِ الْعَيْنِ لَا تُؤْذِيهِ قَاتَلَكِ اللَّهُ فَإِنَّمَا هُوَ عِنْدَكَ ذَخِيلٌ يُوْشِكُ أَنْ يُفَارِقَكَ الْيَنَاءَ -

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(رواه الترمذی و ابن ماجه وقال الترمذی هذا حديث غريب)

Hazrat Mu'az رضي الله عنه reported the Prophet ﷺ as saying, "No woman annoys her husband in this world but that his wife among the large-eyed houris (hur'ayn) saying. "Do not annoy him. May Allah seize you! He is only a passing guest with you and is about to leave you to come to us." (Mishkat)

Allah has created Paradise for the Believers. There they live with the Believing women and will also have the company of a different form of creation. They are created in Paradise and mentioned in Qur'an and Hadith as Hur 'ayn. They will also be wives of the Believers. The word *hur* is plural for *hura* that means "fair complexioned woman." These women will be very beautiful. However, the women of this world who go to Paradise will be more beautiful than them. Men who enter Paradise will have the *hurs* and these women to live with them. These men will be very handsome too. They will love one another deeply and there will be no sign of envy or hatred. There *hurs* await their husbands in Paradise. They cannot meet in this world and will meet them only after these men have been through the grave, the Day of Resurrection and enter Paradise. These *hurs* have a relationship with the men who will enter Paradise so that when their wives displease them, the *hurs* tell them that they must not do so as they will shortly part with them. The women cannot hear the *hurs* say so but the Prophet ﷺ has conveyed

this information to us. Generally, it is the men who are pious and do good deeds that their wives displease them. Seeing this behaviour of the women, the *hurs* curse them and tell them that these men are guests with them and they must not annoy them. It is thus necessary for women to preserve themselves from the curse of the *hurs*.

THAT WOMAN WILL ENTER PARADISE WHOSE HUSBAND IS HAPPY WITH HER

وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ قَالَ رَسُولُ
اللَّهِ ﷺ أَيَّمَا امْرَأَةٍ مَاتَتْ وَزَوْجُهَا عَنْهَا رَاضٍ دَخَلَتْ
الْجَنَّةَ. (رواه الترمذی)

Hazrat Umm Salamah رضي الله عنها said that the Messenger of Allah ﷺ said, "Any woman who dies while her husband has been pleased with her will enter Paradise." (Tirmizi)

THE RIGHT OF A HUSBAND

وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ
لَوْ كُنْتُ امْرَأًا أَحَدًا أَنْ يَسْجُدَ لِأَحَدٍ لِأَمْرِ تِ الْمَرْأَةِ أَنْ تَسْجُدَ
لِزَوْجِهَا. (رواه الترمذی)

According to Hazrat Abu Hurayrah رضي الله عنه the Messenger of Allah ﷺ said, "If I were to command anyone to prostrate before anyone (other than Allah), I would command a woman that she prostrates before her husband."

(Mishkat)

Just as Allah has placed the parents of a child on a superior rank and commanded him to obey them, he has also placed a husband on a high rank. A woman looks after the chores of the house and her husband earn a livelihood for both of them and their children. A husband spends on his wife as he meets her rights given to her by *Shari'ah*. The Qur'an has called men as chiefs who supervise. It has also said,

وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ

"And men are a degree above them."

(al-Baqarah, 2-228)

Many people do not agree with this teaching of the Qur'an. Their women share equality with men or surpass them. This approach is against natural tendencies and they see the disadvantages of their way of life. Man is the supervisor of the house and earns for their living. The wife must be grateful to him and obey him unless he commands for something that violates *Shari'ah*. The Hadith quoted above tells us about this thing. A wife must act on the rules of *Shari'ah*, fulfil the obligations of Islam, shun sinful way of life, care

for her husband and not annoy him. If she follows this advice, she will enter Paradise. Once the rights of Allah and His creatures are given, there is nothing to stop one from entering Paradise.

In this Hadith when the rights of the husband are emphasized, it is pointed out too that it is forbidden to prostrate before anyone but Allah. It is an act of associating partners with Him. Many women prostrate at the graves of their mentors (*peers or shaikhs*) and ask for children and other things at the graves and the *ta'zias* (models of tombs). This is unlawful and polytheism. May Allah protect us from disbelief and polytheism. *Aameen*. وهو الموافق والمعين And He is the Guide and The Helper.

THOSE WITH WHOM ONE CANNOT MARRY

وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّهُ قَالَ يَا رَسُولَ اللَّهِ ﷺ هَلْ لَكَ فِي بِنْتِ عَمِّكَ حَمْزَةَ فَإِنَّهَا أَجْمَلُ فَتَاةٍ فِي قُرَيْشٍ فَقَالَ لَهُ أَمَا عَلِمْتَ أَنَّ حَمْزَةَ أَخِي مِنَ الرِّضَاعَةِ وَأَنَّ اللَّهَ حَرَّمَ مِنَ الرِّضَاعَةِ مَا حَرَّمَ مِنَ النَّسَبِ - (رواه مسلم)

Hazrat Ali رضي الله عنه narrated that he said, "O Messenger of Allah ﷺ would you like (to marry) the daughter of your paternal uncle Hamzah because she is the most beautiful girl in Quraysh?" He said to him, "Do you not

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Hazrat Ali رضي الله عنه narrated that he said, "O Messenger of Allah ﷺ would you like (to marry) the daughter of your paternal uncle Hamzah because she is the most beautiful girl in Quraysh ? " He said to him, " Do you not

know that Hamza is my foster-brother and that Allah has prohibited by reason of fosterage what He has prohibited by reason of genealogy?" (Mishkat) (Although it is permitted to marry the daughter of a paternal uncle that Hazrat Hamzah was to the Prophet, he was also his foster brother has been nourished with the milk of the same woman).

وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ جَاءَ عَمِّي مِنَ الرِّضَاعَةِ فَاسْتَأْذَنَ عَلَيَّ فَأَيَّبْتُ أَنْ أَذِنَ لَهُ حَتَّى أَسْأَلَ رَسُولَ اللَّهِ ﷺ فَجَاءَ رَسُولُ اللَّهِ ﷺ فَسَأَلْتُهُ فَقَالَ إِنَّهُ عَمِّكَ فَأَذِنِي لَهُ قَالَتْ فَقُلْتُ لَهُ يَا رَسُولَ اللَّهِ إِنَّمَا أَرْضَعْتَنِي الْمَرْءَ وَلَمْ يُرْضِعْنِي الرَّجُلُ فَقَالَ رَسُولُ اللَّهِ ﷺ إِنَّهُ عَمِّكَ فَلْيَلِجْ عَلَيْكَ وَذَلِكَ بَعْدَ مَا ضَرَبَ عَلَيْنَا الْحِجَابُ (رواه البخاري و مسلم)

Hazrat Aishah رضى الله عنها said, "My paternal uncle through fosterage came and sought permission to enter but I denied him permission until I had enquired from the Messenger of Allah ﷺ. When he came and I asked him. He said, " He is your paternal uncle so let him in." I told the Messenger of Allah ﷺ that it was only the woman who had suckled me not the man. He said, "He is your paternal uncle so let him come in the house. That was

after the Hijab was prescribed on us."

(Mishkat, Bukhari & Muslim)

Hijab is to cover oneself; veil from strangers. The paternal uncle was named Aflah. Hazrat Aishah رضى الله عنها was suckled by the wife of Abu al-Qais who thus became her father through fosterage and his brother, Aflah, her paternal uncle.

وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى أَنْ تُنْكَحَ الْمَرْءَةُ عَلَى عَمَّتِهَا أَوْ الْعَمَّةُ عَلَى بِنْتِ أَخِيهَا وَالْمَرْءَةُ عَلَى خَالَتِهَا أَوْ الْخَالَةُ عَلَى بِنْتِ أُخْتِهَا لَا تُنْكَحُ الصُّغْرَى عَلَى الْكُبْرَى وَلَا الْكُبْرَى عَلَى الصُّغْرَى (رواه الترمذى و ابوداؤد)

Hazrat Abu Hurayrah رضى الله عنه said that the Messenger of Allah ﷺ forbade that a woman be married to one who is married already her paternal aunt or a paternal aunt to one who is married already to the daughter of her brother. He also forbade that a woman be married to a man who is married already to her maternal aunt, or a maternal aunt to one who is married already to the daughter of her sister. A younger (girl) must not be married over an elder one, and an elder one must not be married over a younger one. (Mishkat)

Every muslim must know these rules of

marriage prescribed by *Shari'ah* whereby it is told who may marry whom. These injunctions are found in the Qur'an in the fourth section of *surah an-Nisa* and the Prophet ﷺ has explained this. Just as there is food forbidden and lawful so also one is not free to marry at one's will but there are the forbidden and permitted in marriage. Some people do not tolerate the restrictions but they should realize the do's and don'ts, distinguish the respectable from the wild. Man is not a beast, who is a savage and does as he pleases. If man was so permitted, he would be worse than a beast.

Six basic points guide us on that woman who is forbidden to a man. (i) Genealogical relationship. (ii) Fosterage. (iii) Kinship through in-laws. (iv) A woman's marriage with a man or her occupation in a waiting period (*Iddah*) because of him. (v) A man having married a woman. (vi) The number of marriages for a man at a time. The details are explained somewhat.

(i) **GENEALOGICAL RELATIONSHIP:**

One cannot marry one's children, grand children, parents and grand parents, brothers and sisters are also not allowed to marry each other, whether they are real brothers and sisters or step-brothers and step-sisters, from same mother or same father. A paternal uncle cannot marry his niece and a maternal uncle is not allowed to marry his niece. A paternal aunt or a maternal

aunt is forbidden to marry her nephew.

(ii) **FOSTER RELATIONSHIP:**

Marriage is forbidden because of foster relationship. Marriage with a cousin is permitted. However, when they are of a age when a child suckles milk (within two years of age) an infant boy or an infant girl suckles milk of the same woman, then they are foster brother and sister and are forbidden to marry each other. When an infant has suckled any woman, he cannot marry any of her daughters even if they have not suckled at the same time; he cannot also marry a sister of this woman for she has become his aunt. In short, where marriage is forbidden because of genealogical relationship, it is forbidden also because of fosterage. Some cases are exempt that may be seen in text books of jurisprudence.

The foregoing Hadith tells us that in the same way as through genealogical relationship mother and son, brother and sister, aunt and nephew, uncle and niece are *mahram* (that they can travel with each other) so also because of suckling relationship through fosterage the nourishing mother and her children, her sister and her brother and her parents become *mahram* for the suckling boy or girl. Also the brother of the husband of the woman who is suckled becomes the paternal uncle of the child who has suckled; he is thus a *mahram* of the child. A

mahram is one with whom marriage is forbidden. The son-in-law of a woman and the brother of her husband are *mahram* of the woman because marriage is forbidden with them. It is permitted to travel with a *mahram* and go before him unveiled. However, when a *mahram* is not trustworthy, it is not correct to travel with him or come before him unveiled. (Such things happen today that an immodest *mahram* cannot be trusted). It is not allowed to a woman that she travels 48 miles without a *mahram* whether it is for a religious cause or otherwise, whether it is accomplished on foot, or by air, rail or car. It is necessary that the *mahram* she travels with is righteous who will not do anything wrong or touch her with sensual feelings.

IT IS SINFUL TO TRAVEL WITH ONE WHO IS NOT A MAHRAM AND TO BE ALONE WITH HIM:

Many women perform *Hajj* or *Umrah* without a *mahram* and thereby commit a sin. It is a sin to travel for *Hajj* or *Umrah* with one who is not a *mahram* no matter how pious he is. Muslims must not go by their nature but must follow *Shari'ah*.

(iii) RELATIONSHIP THROUGH IN-LAWS:

When a man and woman marry, certain marriages become unlawful to them. These are known as *Hurmat Musahirat*. For instance, the mother of a man's wife is forbidden to him. This woman cannot marry any of the sons of her husband, she cannot marry his father (her father-in-law). A husband cannot marry any of the daughters of his wife by previous marriage, once he and his wife have had a sexual intercourse. If he divorces her before they have a sexual intercourse, he may marry any of her daughters. The Qur'an says:

وَلَا تَنْكِحُوا مَا نَكَحَ آبَاؤُكُمْ

وَحَلَائِلُ أَبْنَائِكُمُ الَّذِينَ مِنْ أَصْلَابِكُمْ

رَبَائِكُمُ الَّتِي فِي حُجُورِكُمْ مِمَّنْ نَسَأَكُمُ الَّتِي دَخَلْتُمْ
بِهِنَّ

"And marry not women whom your fathers married....." (an-Nisa, 4: 22) and "And the wives of your sons....."(4: 23) and the earlier part of this verse.

These verses discuss the related questions. If a man commits adultery with a woman, the same forbiddance applies to both of them. The man who has committed adultery cannot marry the

mother and daughter of the woman with whom he has committed adultery.

(iv) **A WOMAN WHO IS IN IDDAH OR THE WAITING PERIOD:**

It is forbidden to marry a woman who is already married. It is also forbidden to marry a woman who is in her waiting period (either because of divorce or death of her husband). A man may have up to four wives at a time but a woman can have only one husband at a time. She can only marry again when she is no longer in marriage ties with anyone. These ties are not over with the death of her husband or his divorcing her but they are over after she has completed her waiting period upon death of her husband or upon being divorced. The rules of *iddah* will be mentioned later, *Insha Allah*. In the Qur'an it has been said that a woman cannot marry another man when she is already married to anyone when it has said *wal-muhsanatu minan Nisa* والمحصنت من النساء.

(v) **A MAN IS MARRIED TO A WOMAN:**

When a man is married to a woman, he is precluded from marrying certain other women. For instance, he cannot marry his wife's sister unless he divorces her and she has gone through her waiting period (*iddah*). If he marries her in spite of this, this marriage is invalid in the eyes of *Shari'ah*. The Qur'an has told us about this in *surah an-Nisa* (وان تجمعوا بين الاختين). In the same way

a paternal aunt (father's sister) and a niece cannot be married to one man at the same time. If a man is married to a woman as long as she is his wife, he cannot marry her sister and her mother's sister, and her niece and her father's sister. If he marries any of them, the marriage is unreliable. Further, even if he has divorced her, he cannot marry any of these until she has been through her *iddah*.

(vi) **A MAN CANNOT MARRY MORE THAN THE FIXED NUMBER ALLOWED TO HIM:**

Shari'ah has fixed the number of wives a man may have. At any one time he may have four wives but this is allowed to him if he gives each of them the rights *Shari'ah* has appointed for them. No man may marry at any given time more than four wives. If he divorces one of the four, he must wait for her to finish her *iddah* before he can take another wife. Ghailan bin Abdullah Thaqafi ؓ had ten wives together before he embraced Islam. When the Prophet ﷺ was told of this, he asked him to have four and divorce the rest. (Mishkat) Because these marriages had taken place before he became a Muslim, the Prophet ﷺ made this decision. If a Muslim having four wives takes a fifth, the marriage with the fifth is invalid.

FOSTERAGE RELATIONSHIP IS ESTABLISHED ONLY WHEN A CHILD HAS SUCKLED WITHIN TWO YEARS OF ITS AGE.

وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ النَّبِيَّ ﷺ دَخَلَ عَلَيْهَا وَعِنْدَهَا رَجُلٌ فَكَانَتْ كَرَهُ ذَلِكَ فَقَالَتْ إِنَّهُ أَخِي فَقَالَ أَنْظُرْنَ مِنْ إِخْوَانِكُنَّ فَإِنَّمَا الرِّضَاعَةُ مِنَ الْمَجَاعَةِ (رواه البخارى ومسلم)

Hazrat Aishah رَضِيَ اللَّهُ عَنْهَا has said that the Prophet ﷺ entered the house once and found a man with her and it looked as if he did not like his being there. She said "He is my (foster) brother." He said "Think carefully who your (foster) brothers are because suckling is from hunger." (Muslim)

This means that *Shari'ah* has fixed the duration of suckling as two years. Whoever suckles during this age falls under the relationship through fosterage. It is forbidden to suckle a child above two years. If any child has been fed breast milk after it was two years old, it will not enjoy foster relationship with anyone. The male child will not become mahram by virtue of such suckling and he will not be forbidden to marry the mother, sister or daughters of the woman who has suckled him. It is necessary for women to be cautious because

lawfulness or unlawfulness is established from suckling. They must not unnecessarily breast-feed a child other than their own.

If a child (male or female) is suckled while it has not exceeded two years of age by the lunar calendar, then the foster relationship is established with the woman who has breast-fed the child. All relationship come to be respected because of suckling. However, Hazrat Imam Abu Hanifah رحمه الله عليه contends that this limit is up to two and a half years. Thus caution demands that a woman cease to suckle a child when it is two years old but, if she has suckled after this age, the relationship through fosterage may be considered to have been established. After this period, her feeding any child will not establish any relationship and no kinship will come to be respected because of it.

DO NOT ASK A MAN TO DIVORCE HIS FIRST WIFE AS A CONDITION FOR MARRYING HIM

وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ لَا تَسْأَلِ الْمَرْأَةُ طَلَاقَ أُخْتِهَا لِتَسْتَفْرِغَ صَحْفَتَهَا وَلِتَنْكِحُ فَإِنَّ لَهَا مَا قُدِّرَ لَهَا.

Hazrat Abu Hurayrah رَضِيَ اللَّهُ عَنْهُ said that the Messenger of Allah ﷺ said " Let no woman seek divorce for her sister thereby emptying her

bowl. She may marry because what is determined for her, she will get."

This Hadith also teaches us that we must not seek to harm anyone. If anyone proposes marriage, he must be given a reply accepting or rejecting the proposal and if the man already has a wife, he should not be asked to divorce her. That woman may not be deprived of the benefit she is getting from her husband.

Some Ulama interpret the meaning of this Hadith that when a man has two wives one of them must not ask him to divorce the other. This will have the divorced woman marry someone else and the remaining wife will have her husband to herself. The words of the Hadith allow for this interpretation too. However, in both these situations the demand on the man to divorce his wife is unjustified.

The Holy Prophet ﷺ called the wife of the man as a sister of the woman (demanding her divorce). This may be asking her to show compassion. It is part of the responsibilities of a Muslim to like for a fellow Muslim (brother or sister) what one likes for himself.

At the same time as causing pain to the woman whose divorce is sought, it is like trying to pre-empt what is decreed. The portion of every man and woman is decreed. The woman who wishes to marry a man if he divorces his wife must choose to one of the other men.

These days we hear of such things as a

woman asking her brother-in-law to divorce his wife (her real sister) so that she may marry him.

IT IS A SIN TO INCITE A WOMAN AGAINST HER HUSBAND

وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ قَالَ رَسُولُ
اللَّهِ ﷺ لَيْسَ مِنْ أَمَانٍ حَبَّ امْرَأَةٍ عَلَى زَوْجِهَا أَوْ عَبْدًا
عَلَى سَيِّدِهِ.

Hazrat Abu Hurayrah ؓ said that the Messenger of Allah ﷺ said, "He is not one of us who prompts a wife against her husband or a slave against his master."

This Hadith impresses upon us the gravity of sin a person commits when he or she incites a woman against her husband. Such a person is no longer regarded as from the *Ummah* of the Prophet ﷺ. If anyone does such a distasteful thing as distancing husband and wife, they ruin a family instead of bringing them together. It is not only strangers but also close relatives of both the partners who provoke one against the other; it is a father or mother, or brother or sister who does it. The result is that husband and wife quarrel and sometimes end up in divorce.

However, once this fighting and quarreling ends up in divorce, both of them find it difficult to re-marry. They do not get a willing partner because divorce places a blot on their names.

Those who had incited them watch their plight having played the part of the devil. May Allah keep us away from devilish plays.

TEACHING AND TRAINING

PARENTS ARE RESPONSIBLE TO TEACH THEIR CHILDREN ABOUT FAITH AND ISLAM AND THE PRACTICE OF ISLAM

وَعَنْ عَمْرِو بْنِ شُعَيْبٍ قَالَ وَجَدْتُ فِي كِتَابِ جَدِّي
الَّذِي حَدَّثَ عَنْ رَسُولِ اللَّهِ ﷺ قَالَ إِذَا أَفْصَحَ
أَوْلَادُكُمْ فَعَلِّمُوهُمْ لَا إِلَهَ إِلَّا اللَّهُ ثُمَّ لَا تُبَالُوا مَتَى مَاتُوا
وَإِذَا أَنْعَرُوا فَمَرُّوهُمْ بِالصَّلَاةِ وَعَنْهُ عَنْ أَبِيهِ عَنْ جَدِّهِ
قَالَ كَانَ النَّبِيُّ ﷺ إِذَا أَفْصَحَ الْغُلَامُ مِنْ بَنِي
عَبْدِ الْمُطَّلِبِ عَلَّمَهُ هَذِهِ الْآيَةَ وَقُلِ الْحَمْدُ لِلَّهِ الَّذِي لَمْ
يَتَّخِذْ وَلَدًا (رواهما ابن السني في عمل اليوم والليله)

Hazrat Amr bin Shuayb رحمه الله عليه said that he found in a book of his grandfather (in which he had written down Ahadith) that the Messenger of Allah ﷺ said, "When your children learn to speak, teach them *La ilaha illal lah* (there is no God but Allah) then do not worry about them till they die (if you have taught them well they will be sound in faith). And when they grow their milk teeth command them to offer ritual

prayers."

It is also reported from him that when any child of the family of Abdul Muttalib began to speak, he taught him the verse of the Qur'an

وقل الحمد لله الذي لم يتخذ ولدا-

(عمل اليوم والليلة لابن السني ص ١١٣)

"And say: All praise belongs to Allah, Who has not taken a son....." (al-Isra, 17: 111)

La ilaha illal lah is the *Kalimah* of Islam. It covers all beliefs of Islam. Belief is the real religion. If anyone's belief is not sound, it is no use laying claim on Islam. One does not become a Muslim merely on claiming to be so or on having been born in a Muslim family. It is obligatory to know and confirm the basic tenets of Islam. We are advised to teach an infant when he utters some words to say *La ilaha illal lah* because if we do not do so when he is growing, he may choose any other religion when he grows old. It is not the mere words that we should teach him but we must explain to him the meaning and teach him other basic tenets.

TENETS OF ISLAM (or its basic beliefs):

There are three basic beliefs of Islam. (i) *Tawheed*. To believe that Allah is one. He has no partner. To confirm the beliefs found in the Qur'an and Hadith about Him and His Attributes. (ii) Belief in *Messengership*. To believe that Prophet Muhammad ﷺ is the last

Prophet and the religion that he has taught is true. (iii) *Resurrection*. To believe that we will be resurrected after death on the Day of Resurrection (*Qiyamah*) and that reckoning will take place and reward or punishment will be awarded. Punishment is awarded in Hell and reward is found in Heaven, Paradise.

There are other beliefs springing from these that are found in the Qur'an and Hadith. We must believe in them too.

THE NECESSITY TO KNOW THE TENETS OF ISLAM:

Many parents do not teach their children the Islamic beliefs; rather they themselves do not know these. They may be graduates but they are ignorant of what *Tawheed* is and what the office of the *Messenger* signifies. Because of this ignorance, they take everyone who talks of Islam as a Muslim although he may propagate ideas contrary to Islamic beliefs and may deny the basic tenets of Islam. Just as one believes in Allah and in His Prophet, one must believe in His books, angels and all the Prophets and in the things the Prophet ﷺ has told us about the grave and the Last Day. Many people make fun of it and object to the sayings of Allah and His Messenger ﷺ and yet call themselves Muslims.

ONE WHO REJECTS THE FINALITY OF PROPHETHOOD IS A DISBELIEVER:

Many people display deep ignorance when they hold someone to be a prophet even after the Holy Prophet ﷺ has passed away. When they are told that the Qur'an has described him as the last Prophet, they give their own interpretation to the verses of the Qur'an instead of believing in it. These people are not Muslims even if they offer ritual prayers and make a show of their gentleness. To take them as Muslims is also an act of disbelief.

WHICH PERSON IS A MUSLIM IF HE RECITES THE KALIMAH:

Some people suppose that every person who recites the *Kalimah* is a Muslim although he may reject the concept of finality of Prophethood, be an atheist or an irreligious person. It is not enough to recite the *Kalimah* but one must also believe in the explanation of the *Kalimah* as given in the Qur'an and Hadith.

PARADISE OR HELL IS AWARDED ACCORDING TO ONE'S BELIEFS:

This is a very delicate affair. Whether one goes to Hell or to Paradise depends on how sound are one's beliefs. One who holds corrupted beliefs will go to Hell forever. Therefore, the biggest obligation for a man is to have correct beliefs and give correct training to his children.

Hazrat Amr bin Shu'ayb ؓ has reported, as

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Hazrat Amr bin Shu'ayb رضي الله عنه has reported, as

we have seen above, that the children of Abdul Muttalib were taught the following verse when they learnt to speak.

وَقُلِ الْحَمْدُ لِلَّهِ الَّذِي لَمْ يَتَّخِذْ وَلَدًا وَلَمْ يَكُنْ لَهُ
شَرِيكٌ فِي الْمُلْكِ وَلَمْ يَكُنْ لَهُ وَلِيٌّ مِنَ الذَّلِّ وَكَبَّرَهُ
تَكْبِيرًا

And say: All praise belongs to Allah, who has not taken a son, and there is no associate for Him in the Sovereignty, and there is no protector through dependence for Him. And magnify Him with (all) magnificence.

(al-Isra 17:11)

This is the last verse of *surah Bani Israil* or *al-Isra* in the 15th part.

This verse stresses on the unity of God and the beliefs based on the Attributes of Allah. A child is encouraged to memorize this verse at an early age so that he knows about the unity of Allah and is not ignorant about the Attributes of Allah. He may remain a Muslim with correct beliefs till death comes to him. The basic tenets of Islam were discussed in the beginning of this book.

MEN MUST BE TAUGHT SURAH AL-MAIDAH AND WOMEN SURAH AN-NUR

وَعَنْ مُجَاهِدٍ مُرْسَلًا عَنِ النَّبِيِّ ﷺ قَالَ عَلِّمُوا رِجَالَكُمْ
سُورَةَ الْمَائِدَةِ وَعَلِّمُوا نِسَاءَكُمْ سُورَةَ النُّورِ - (رواه سعيد
بن منصور في سننه والبيهقي في شعب الإيمان كما في الجامع

الصغير للحافظ السيوطي)

It is reported by Mujahid رحمه الله عليه that the Holy Prophet ﷺ said, " Teach your men *Surah al-Maidah* and your women *Surah an-Nur*."

Both these *surahs* (chapters of the Qur'an) contain a number of injunctions. The *surah al-Maidah* contains guidance for those who don the *Ihram* for Hajj, some information on the unlawful animals, the rules for ablution, bath and dry ablution (*tayamumm*) and on what punishment may be awarded to bandits. It also contains information on how to retaliate when someone commits a murder or deforms another by maiming him or doing any such thing. It also teaches what to do when one takes an oath or vows to do something. It explicitly prohibits wine. It contains many advises and parables from which lessons may be drawn. In *Surah an-Nur* the punishment is mentioned for one who commits adultery and one who places false accusation on someone. It commands us to seek

we have seen above, that the children of Abdul Muttalib were taught the following verse when they learnt to speak.

وَقُلِ الْحَمْدُ لِلَّهِ الَّذِي لَمْ يَتَّخِذْ وَلَدًا وَلَمْ يَكُنْ لَهُ
شَرِيكٌ فِي الْمُلْكِ وَلَمْ يَكُنْ لَهُ وَلِيٌّ مِنَ الذُّلِّ وَكَبْرَهُ
تَكْبِيرًا

And say: All praise belongs to Allah, who has not taken a son, and there is no associate for Him in the Sovereignty, and there is no protector through dependence for Him. And magnify Him with (all) magnificence.

(al-Isra 17:11)

This is the last verse of *surah Bani Israil* or *al-Isra* in the 15th part.

This verse stresses on the unity of God and the beliefs based on the Attributes of Allah. A child is encouraged to memorize this verse at an early age so that he knows about the unity of Allah and is not ignorant about the Attributes of Allah. He may remain a Muslim with correct beliefs till death comes to him. The basic tenets of Islam were discussed in the beginning of this book.

MEN MUST BE TAUGHT SURAH AL-MAIDAH AND WOMEN SURAH AN-NUR

وَعَنْ مُجَاهِدٍ مَرْسَلًا عَنِ النَّبِيِّ ﷺ قَالَ عَلِّمُوا رِجَالَكُمْ
سُورَةَ الْمَائِدَةِ وَعَلِّمُوا نِسَاءَكُمْ سُورَةَ النُّورِ - (رواه سعيد
بن منصور في سننه والبيهقي في شعب الايمان كما في الجامع

الصغير للحافظ السيوطي)

It is reported by Mujahid رحمه الله عليه that the Holy Prophet ﷺ said, " Teach your men *Surah al-Maidah* and your women *Surah an-Nur*."

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permission when entering homes. It advises men and women to lower their gazes and commands women to cover themselves.

ISLAM IS THE NAME FOR KNOWLEDGE AND PRACTICE:

Islam enjoins upon its followers to put into practice what they are taught and it has given injunctions on everything that concerns mankind. It is only after one acts on these commands that he or she can be a true Muslim. It is obligatory for every Muslim to know the rules that are general in nature and apply to everyone like ritual prayers, fasting etc. Those regulations that concern a particular group or people must be learnt by them. Thus a trader must know the regulations on trade and business, a farmer and cultivator rules on his profession and on payment of 'ushr, etc. An industrialist must know the regulations that govern his occupation. Women learn what applies to them. Husband and wife, and parents must know each other's rights and duties and the rights of children. Those who rear animals must know the rights of animals.

IT IS NECESSARY TO ERADICATE IGNORANCE AND ILLITERACY

This is a time when ignorance is the order of the day. Waywardness is seen everywhere. No one knows what his responsibility is. Everyone does what he likes. It is very shameful that a

Muslim does not know his religion and what his duties are. It is obligatory for us to remove ignorance and neglect.

Let everyone know what he did not learn in childhood. Let us all know the rules and manners of *prayer, fasting, zakah, Hajj*, mutual relations, general living, moving about, sleeping and every other activity of life. These are mentioned in the Qur'an and Hadith. If one has not learnt in one's early years, he must not feel ashamed but learn them in whatever phase of life he is now, otherwise he will go on committing sins.

Let pious tutors teach children and those women who are old and do not know about religion let them learn too. Women may collect together daily or at least once a week taking care to seclude themselves and learn about prayers and other basic things.

These teachings may be oral or from books. Oral teachings include memorizing the *Kalimah*, the ritual prayer, etc. Those who know may teach those who do not know and they must not belittle them. A discussion may be held about ablution and such other matters. They may urge each other to observe the duties of Islam. Biographies of the Prophet ﷺ and the Companions رضى الله عنهم may be related.

Reliable books by pious authors may be read. Let one of them read it and the others listen. Then everyone must act on what they have read or heard. We recommend some books

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in Urdu. These are.

- (1) Nasaih Nabawi
- (2) Ummat Muslimah Ki Main (mother)
- (3) Rasullah Ki Sahibzadiyan
- (4) Hikayet Sahabah (رضی اللہ عنہم).
- (5) Seerat Khatamul Ambiya
- (6) Tabligh Din
- (7) Bahtareen Jahaz
- (8) Taleemud Din
- (9) Fadail Namaz
- (10) Fadail Tabligh
- (11) Fadail Sadaqat (2 Parts)
- (12) Fadail Hajj
- (13) Fadail Qur'an
- (14) Zikr Ilahi
- (15) Hayatul Muslimin
- (16) Adab ul-Muashirat
- (17) Aghlat ul-Awam
- (18) Ikram ul-Muslimin
- (19) Marnay Kay ba'd Kiya Hoga
- (20) Fadail Ramadan
- (21) Gunah bay lazzat
- (22) Dozakh Ka Khatka
- (23) Janat Ki Kunji
- (24) Rasool-lal-lah Ki Payshingoyan
- (25) Islah ur-Rusum
- (26) Masnun Duain
- (27) Faru' ul Iman
- (28) Muariful Hadith
- (29) Kasb Halal aur adai Huquq
- (30) Fadail Durood Sharif

- (31) Jaza ul-Amal
- (32) Zikr ullah
- (33) Muslim Khawatin Kay Liya bees sabaq
- (34) Islami Ikhlaq
- (35) Hamari Musibatun Kay asbab aur un Ka ilaj.
- (36) Aaina Namaz
- (37) Fadail Ilm
- (38) Qasd us Sabil
- (39) Fadail Zikr
- (40) Islam Kiya hay ?

IT IS NECESSARY TO TEACH CHILDREN THE RITUAL PRAYERS

عَنْ سَبْرَةَ الْجُهَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ قَالَ رَسُولُ
اللَّهِ ﷺ عَلِّمُوا الصَّبِيَّ الصَّلَاةَ ابْنَ سَبْعِ سِنِينَ وَاضْرِبُوهُ
عَلَيْهَا ابْنَ عَشْرَةٍ۔ (رواه الترمذی)

Hazrat Sabarah al-Juhanni ؓ said that the Messenger of Allah ﷺ said, "Teach your children the virtual prayer when they are seven years old, and when they are ten years old beat them if they do not offer their prayers."

(Tirmizi)

It is a fact that one can perform anything correctly only when he has a correct knowledge of it. When man sets foot in this life he knows nothing and, in fact, is not capable of knowing anything. As he grows, he begins to understand. As he lives here and his needs are immediate, he

learns what he needs to know for this life by espying around and by some effort. However, the religious approach will be of benefit after death and not before one's sight; therefore, man does not think of it.

It is the duty of parents to impart their children religious knowledge. In fact, it should be given more importance because only piety will be useful in the Hereafter. Many people love their children immensely, but apparently their love is only for worldly comforts although they will need this love in the Hereafter. It is good to feed and clothe them with lawfully earned wealth. However, the most important need of man is comfort in the Hereafter. It is very cruel to keep the children deprived of religious knowledge and deeds. Let children know Allah and conduct your own life in such a way that by seeing you they learn to behave in the Islamic manner and practice.

THE APATHETIC ATTITUDE OF PARENTS FOR THE GOOD OF THEIR CHILDREN:

In order that their children be happy, parents satisfy every desire of their children whether these desires are legal or illegal. They even get a loan for that if they have to. But they never think of putting them on Islamic lines. It is an antagonist attitude towards children because it harms them in the Hereafter. In comparison, a little comfort in this world is of no significance.

Those parents who impart religious education to their children and accustom them to religious practices are their real benefactors. This effort will not benefit the children alone but will be much useful to the parents in their graves and the Hereafter. Someone has said, "People are sleeping but when they will go to their graves they will be wide awake!"

Man seems to be happy being unmindful of the Hereafter. It is the same thing with his children and all those dependent on him. As long as they are not reminded of the Hereafter but pampered in this life, they are happy and cheerful. They do not consider neglected living as harmful. However, when they will shut their eyes and lie down in the graves, their eyes will be wide open and repentance will be on them. They would wish they had done something for that life and guided their children too. It would be too late.

As soon as children are sensible, they are sent to school and then college or put to work. But, they are not taught how to offer their prayers. They are not given religious knowledge. This then goes on. They become old. Fathers, then grandfathers. But, they do not even know how to recite the *Kalimah* correctly. What is recited in ritual prayers is beyond most of them.

When an elder dies the sons and grand sons hesitate to touch the body. They are not prepared to give him a bath. It is some outsider who gives

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the bath. At some places, people are hired to give a bath. The people in the house of the dead do not know how to shroud the body. When unknown people do it for them (who are generally pious people), the corpse is taken to the ~~mosque~~^{mosjid}, the Imam is asked to offer the funeral prayers although it is the heir who is the most rightful person to do so but is unable to do this because he does not know how to offer the prayers. Often the relatives of the dead stand in the rows that other people may not point an accusing finger at them but they do not know what to read in the prayers. Some of these folk stand at a distance and watch. What is the reason for this? Why they cannot lead the prayers and offer them? Is it not that the dead man was neglectful of his duties in this regard? He may have left for them a large inheritance but did not make them capable enough to offer the prayers on his dead body.

When they are advised to teach their children the Qur'an, the religious duties and make them offer prayers, they say we do not wish to make *Mullas* of our children. They will be officers. Officers! Does this mean that it is futile to be pious? Is it something lowly worth despising? We seek refuge in Allah. *Muslims*; How they utter ignorant words! Will they find knowledge of English and the position of an officer with the pompous life it may afford here worth any benefit in the grave? Certainly not!

* MOSQUE = HOUSE FOR Mosquitoes

The currency there will be piety. The prayers offered, the fasts kept - such things will be of use there. If as Muslims we believe in the next world why do we not prepare for it? Why do we not set our children to think about it? It is the lack of faith that had caused us to neglect it.

TEACH A SEVEN YEAR OLD HOW TO PRAY:

We are told in the foregoing Hadith to teach a seven year old how to pray. In another Hadith, we are asked to command a seven year old to offer the prayers. When he is ten years old and does not pray, beat him so that he prays. Both things are to be done - teach the child and get him to pray. It is only after it is taught that a child will pray. After *belief*, *ritual prayer* is the most important duty. Therefore it is very necessary to teach it. People teach their children how to run an industry and how to live this life but they do not teach the prayers. This is most shameful.

O Muslims! Teach your children how to pray. If they do not pray when they reaches ten beat them. This is what the Prophet ﷺ said. Even those who themselves are regular in prayer do not teach their children how to pray. They do not tell them about prayers the *rakaat*, the duties *fard* and *wajib* within prayers. Children are sent to school and colleges and get so attached to this life, that they are no longer in the grip of their

parents. It is very difficult to bring him to the correct path. Children must be accustomed to religious rites right from their early age. Some people complain that their children do not obey them in this respect. It is not so. The Holy Prophet ﷺ has said that we must beat them if they do not offer their prayers at ten years of age. We can get them to obey us in worldly matters but where religious duties are concerned we only give a lip service. If we had the Hereafter in mind we would willingly give up worldly pleasures for it.

If your son is pious and thus saves himself from Hell, it is a great success even though he may have to face hunger in this world. Conversely, if he has been able to accumulate much wealth here but has failed in the Hereafter because of his sins, his wealth will be of no use to him.

It is a great responsibility on women to set their children on the religious path and save them from Hell. Every child stays with its mother for ten years in the least. She should make him religious in this duration. When children are pious, parents also reap the benefit and when they do righteous deeds because of their knowledge, parents will get the reward.

THE FIRST MADRASAH IS THE LAP OF THE MOTHER AND OF THE FATHER:

It is the home of the children and their father and mother who are their first learning place. Parents can mould them as they please. Whether a child turns out to be on the right path or on an erroneous track depends on its parents. It is the father who is really responsible for the education and training of the child. For the life the child will follow the training given to it by its parents. It is necessary for parents to teach him the Islamic ways of life, to instill in him the fear of Allah and love for Him and a yearning to prepare for the Hereafter and to live according to Islamic teachings. Entrust them to pious scholars and Huffaz (those who have memorized the Qur'an). Let them memorize the Qur'an. Teach them Arabic that they understand the Qur'an. Keep them away from the unlawful. Tell them about modesty, honesty, generosity, patience, gratefulness, compassion and the rights of fellow men.

**TO TEACH AND DISCIPLINE
CHILDREN IS BETTER THAN GIVING
SADAQAH AND THERE IS NOTHING
BETTER FOR THEM THAN GOOD
MANNERS**

وَعَنْ جَابِرِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ قَالَ
رَسُولُ اللَّهِ ﷺ لَأَنْ يُؤَدَّبَ الرَّجُلُ وَلَدَهُ خَيْرٌ لَهُ مِنْ أَنْ
يَتَصَدَّقَ بِصَاعٍ - (رواه الترمذی)

Hazrat Jabir bin Samurah رضی اللہ تعالیٰ عنہ said that the Messenger of Allah ﷺ said, "It is better for a man to discipline his child than to give a sa'a as sadaqah.

وَعَنْ أَيُّوبَ بْنِ مُوسَى عَنْ أَبِيهِ عَنْ جَدِّهِ رَضِيَ اللَّهُ عَنْهُ أَنَّ
رَسُولَ اللَّهِ ﷺ قَالَ مَا نَحَلَ وَالِدٌ وَلَدَهُ مِنْ نَحْلٍ أَفْضَلَ مِنْ
أَدَبٍ حَسَنٍ - (رواه الترمذی والبيهقي في شعب الإيمان)

Hazrat Ayyaub bin Musa reported from his grandfather through his father that the Messenger of Allah ﷺ said, "A father gives his son nothing better than a good education."

(Tirmizi)

The Holy Prophet ﷺ has drawn our attention to the upbringing of children. Children are very simple. If attention is not paid to their

upbringing they will turn out to be wild and unruly.

**THOSE WHO ARE NEGLECTFUL IN
TRAINING THEIR CHILDREN:**

Many people pay no attention to the rearing of their children. Parents are busy in their affairs and children roam about in the streets. They arrange for the bread and butter of their children but overlook the moral training of these children. These parents include those who were themselves left to tend their ways by their parents and are thus ignorant of the manners of upbringing. But, there are also those parents who are religious and aware of this duty but they are derelict in performing it. They are so occupied in their affairs that they have no time for their children. If one thinks about it, one earns for the children and if being engaged in this pursuit has a negative effect on the children, what is the use of it?

There are people who are knowledgeable. They are reformers and mentors. They give guidance to people. They travel far and wide, speak and write books. However, they are neglectful in the training and disciplining of their children although the biggest responsibility of a man is to pay attention to his own folk. When the children are ignored until they are ten or twelve years old, then it becomes very difficult to reform them.

There are those people too who pay attention to their children but do not give them the education that is necessary. They do not input Islamic knowledge. Fairly grown ups, adults, do not know the Kalimah or the prayers, or the basic beliefs of Islam. However, the children are taught the manners of western life and dress; they know how to dance and the customs of marriage. They gain education that run contrary to monotheism. The parents join hands in ruining their children and feel elated that their son or daughter is modern. They say that they are among the progressive people but forget to see that they are destroying their future life (in the Hereafter). These children do not do anything righteous. They know nothing of good manners and Islamic etiquette. Their beliefs are adulterated. This, in spite of our knowledge that life after death is the everlasting life and deliverance will be had there only on presenting pious deeds and correct belief.

The correct deeds, beliefs and manners are only those that Hazrat Muhammad ﷺ taught us and are found in the Qur'an. He who does not have these is destined for a severe punishment. The ephemeral life of this world is nothing when one will face a perpetual punishment.

WHAT DO WE MEAN BY MANNERS:

This is a very comprehensive word. A person's way of living is called his manners. This includes consideration for the rights of Allah and of His slaves. It is necessary for one to hold belief about Allah and obey His commands as they are taught to him. The rights of Allah are met by performing the duties enjoined through the *fard*, *wajib*, *sunnah*, *mustahab*. The rights of fellow men are met when one's obligations towards them are fulfilled. For instance, to look after their comfort. They include the *wajib* and *mustahab*. The saying of the Prophet ﷺ that a father does not give his child anything better than good manners (or disciplining him) includes teaching everything about religion because Islam is a guide to good manners. Many people take manners to mean the ways of sitting and moving about alone (this is not so as we have seen).

The Hadith also tells us that it is better for anyone to teach his child manners than to give in charity one sa'a. A very important thing is taught to us here. While charity in itself is a great form of worship (if done for the pleasure of Allah) but it is not superior than paying attention to the upbringing of one's children. Many wealthy people are philanthropists. They give in charity, feed the poor, and donate to madrasah and mosque but they ignore their children who turn out to be ill-mannered and misguided. While to give in charity is good, but one must pay

attention to one's children, otherwise generations are ruined and destroyed.

To discipline the child is the biggest gift for him. He learns thereby the rights of Allah and fellow human beings. If a child is given wealth and property but is not taught manners, then he will squander his wealth to the displeasure of Allah and in sinful activities. Children who are undisciplined will cause their parents worry about them.

ALIEN WAYS ARE NOT MANNERS:

Many people imitate the ways of the enemies of Islam on the supposition that they are right mannered. Whatever is against Islamic teachings are not manners; these things destroy humanity. We see in our societies that people are devoid of modesty, they do not respect their elders, lawful and unlawful are not differentiated from each other and the results too are before us. Relatives are sworn enemies of one another. Girls are kidnapped. Unmarried mothers abound. Parents are reprimanded and fathers are killed to snatch their wealth. People adopt shameful behaviour but go about proudly. They feel happy on having taken over modern style of living and imitating western people. They do not agree with the definition of evil, hence no question arises of their giving up evil habits.

May Allah have mercy on the *Ummah* of Muhammad ﷺ and cause them to understand

their religion and to adopt Islamic manners. Indeed, He is able to do everything and He makes every difficulty easy (for whom He wishes).

إِنَّهُ عَلَى كُلِّ شَيْءٍ قَدِيرٌ وَهُوَ الْمُسِيرُ لِكُلِّ عَسِيرٍ

ADMONISH YOUR FAMILY MEMBERS

وَعَنْ مُعَاذٍ رَضِيَ اللَّهُ عَنْهُ قَالَ أَوْصَانِي رَسُولُ اللَّهِ ﷺ بِعَشْرِ كَلِمَاتٍ قَالَ لَا تُشْرِكْ بِاللَّهِ وَإِنْ قُتِلْتَ وَحُرِّقْتَ وَلَا تَعْتَنَّ وَالِدَيْكَ وَإِنْ أَمَرَكَ أَنْ تَخْرُجَ مِنْ أَهْلِكَ وَمَالِكَ وَلَا تَتْرُكَنَّ صَلَاةً مَكْتُوبَةً مُتَعَمِّدًا فَإِنْ مَنْ تَرَكَ صَلَاةً مَكْتُوبَةً مُتَعَمِّدًا فَقَدْ بَرِئَتْ مِنْهُ ذِمَّةُ اللَّهِ وَلَا تَشْرِبَنَّ خَمْرًا فَإِنَّهُ رَأْسُ كُلِّ فَاحِشَةٍ وَإِيَّاكَ وَالْمَعْصِيَةَ فَإِنَّ بِالْمَعْصِيَةِ حَلَّ سَخَطِ اللَّهِ وَإِيَّاكَ وَالْفِرَارَ مِنَ الرَّحْفِ وَإِنْ هَلَكَ النَّاسُ وَإِذَا أَصَابَ النَّاسَ مَوْتُ وَأَنْتَ فِيهِمْ فَابْتُتْ وَأَنْفِقْ عَلَى عِيَالِكَ مِنْ طَوْلِكَ وَلَا تَرْفَعْ عَنْهُمْ عَصَاكَ أَذْبَاوَا خِفْهُمْ فِي اللَّهِ - (رواه احمد)

Hazrat Mu'az bin Jabal ؓ said that The Messenger of Allah ﷺ gave ten advices to me.

(i) Do not associate anything with Allah, even

if you are killed and burnt for that. (ii) Do not disobey your parents even if they order you to desert your family and give up your property. (iii) Do not neglect a prescribed prayer deliberately for he who deliberately neglects to offer a prescribed prayer will not have Allah responsible for him. (iv) Do not drink wine for it is the root cause of every evil. (v) Shun sinful acts for they cause the wrath of Allah to descend. (vi) Do not flee from the battlefield even if people (your companions) are killed. (vii) When people are dying (from an epidemic) and you are among them, stay where you are. (viii) Spend on your family (wife, children, etc.) from your means. (ix) Do not spare the rod in training them, and (x) Cause them to fear Allah (concerning His commands and regulations).

Very important advices are contained in this Hadith. We have reproduced it here because of the advice No. 9 and No. 10 that concern education and training of children.

THE FIRST ADVICE:

Do not associate anything with Allah, even if you are killed for that. This emphasizes abhorrence for polytheism. It is to be abhorred even if one is killed or burnt in fire. No word must be uttered that smacks of associating anything with Allah, and no deed must be performed from which this could be deduced. This is the highest degree of faith otherwise, one is permitted under such threatening circumstances to utter but remain steadfast on

monotheism internally to save one's life. At heart one must remain a firm Believer. As, indeed, Allah has said:

كَمَا قَالَ اللَّهُ تَعَالَى شَأْنُهُ إِلَّا مَنْ أَكْرَهَ وَقَلْبُهُ مُطْمَئِنٌّ
بِالْإِيمَانِ

"....excepting him who has been compelled and his heart is content with faith." (an-Nahl. 16: 106)

THE SECOND ADVICE:

Do not disobey your parents. Do not do anything that annoys them. It is obligatory for children to obey parents in all matters (except if they ask for something sinful to be done for that must not be done in obedience to anyone). Obey them and not to annoy them with one's hands or tongue are all part of their rights. Even if parents ask you to vacate your house, you must be ready to do that, it is a different thing that parents will do no such thing that causes difficulty to their children or grandchildren or their wives or their husbands.

THE THIRD ADVICE:

Do not neglect the prescribed prayer, that is the *fard* (obligatory) prayer. He who does so deliberately will not have Allah responsible over him anymore. As long as he offered the *fard* prayers, he was held in respect and was entitled to reward and protection. When he neglects the *fard* prayer, Allah is not responsible to protect

if you are killed and burnt for that. (ii) Do not disobey your parents even if they order you to desert your family and give up your property. (iii) Do not neglect a prescribed prayer deliberately for he who deliberately neglects to offer a prescribed prayer will not have Allah responsible for him. (iv) Do not drink wine for it is the root cause of every evil. (v) Shun sinful acts for they cause the wrath of Allah to descend. (vi) Do not flee from the battlefield even if people (your companions) are killed. (vii) When people are dying (from an epidemic) and you are among them, stay where you are. (viii) Spend on your family (wife, children, etc.) from your means. (ix) Do not spare the rod in training them, and (x) Cause them to fear Allah (concerning His commands and regulations).

Very important advices are contained in this Hadith. We have reproduced it here because of the advice No. 9 and No. 10 that concern education and training of children.

THE FIRST ADVICE:

Do not associate anything with Allah, even if you are killed for that. This emphasizes abhorrence for polytheism. It is to be abhorred even if one is killed or burnt in fire. No word must be uttered that smacks of associating anything with Allah, and no deed must be performed from which this could be deduced. This is the highest degree of faith otherwise, one is permitted under such threatening circumstances to utter but remain steadfast on

monotheism internally to save one's life. At heart one must remain a firm Believer. As, indeed, Allah has said:

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him, give him honour and preserve him from hardships of this world and punishment of the next. My sisters, do not ever neglect the *fard* prayer whether you are at home, during a journey, in worry, in illness, in poverty or in affluence.

THE FOURTH ADVICE:

Do not ever drink wine for it is the root cause of every evil. Prayer is the mother of all worship - it leads to other forms of worship and keeps one engaged in it regularly from sinful activities. He is encouraged to recite the *durood*, *istighfar*, the Qur'an, to pray on the *tasbeeh*, offer optional prayers, supplicate and to perform other pious deeds. Wine on the other hand, is the mother of all evils. The person who drinks it is shameless, immodest and a nuisance to society. One who drinks wine loses his senses and does everything that religion prohibits and commonsense dislikes. A Hadith tells us

ولا تشرب الخمر فانها مفتاح كل شر

"Do not drink wine because it is the key to every evil."

Those people who drink wine do every despised deed. Their condition is before us and those Muslims who do so are also like that.

THE FIFTH ADVICE:

Do not sin. This causes the wrath of Allah to descend. If a person is obedient to Allah and refrains from sin, he is rewarded with the pleasure of Allah Who saves him from the problems of this world and the chastisement of the Hereafter. Once he commits sin, he becomes liable to the displeasure of Allah and punishment. Problems and misfortune overtake him. All of us today are occupied in sinful activity - the men and the women, young and the old, the ruled and the rulers, the poor and the rich. It is very rare that anyone may be found whose sins are few otherwise all are engaged in one or another form of sin and we invite the punishment of Allah every time.

The funny part is that everyone says that the misfortunes upon us are the result of our misdeeds! Yet no one is prepared to give up the sinful life. The misfortunes and hardships cannot be averted by confession. They can be removed only on giving up sinful life. My book in Urdu "*Hamari Musibatoon Kay asbab aur in Ka ilaj*" may be seen.

THE SIXTH ADVICE:

Do not run away from the *Jihad* (battle field) even if other people who were with you perished. If there is war with the unbelievers, it is the mark of the Muslims that they are steady in battle, but in

him, give him honour and preserve him from hardships of this world and punishment of the next. My sisters, do not ever neglect the *fard* prayer whether you are at home, during a journey, in worry, in illness, in poverty or in affluence.

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certain conditions it is permitted to leave the battlefield though in many cases it is necessary to be firmly rooted and not leave the field. If only one man remains he must go on fighting until he is martyred. The Qur'an says

وَمَنْ يُؤَلِّهِمْ يَوْمَئِذٍ دُبُرَهُ إِلَّا مُتَحَرِّفًا لِّقِتَالٍ أَوْ مُتَحَيِّزًا إِلَى
فِتْنَةٍ فَقَدْ بَاءَ بِغَضَبٍ مِّنَ اللَّهِ وَمَأْوَاهُ جَهَنَّمُ وَبِئْسَ
الْمَصِيرُ - (الأنفال)

"Whoever turns his back that day to them, unless maneuvering for battle or turning to join a host (of his own), he indeed incurs wrath from Allah, and his abode is hell. And it is an evil destination." (al-Anfal, 8: 16)

THE SEVENTH ADVICE:

If you are at a place and an epidemic spreads there causing death, do not go away from that place. Stay there. According to a Hadith:

فَإِذَا سَمِعْتُمْ بِهِ بَارِضٍ فَلَا تُقَدِّمُوا عَلَيْهِ وَإِذَا وَقَعَ بَارِضٍ
وَأَنْتُمْ بِهَا فَلَا تَخْرُجُوا فِرَارًا مِنْهُ - (رواه البخاري ومسلم)

"When you learn of plague in a land do not go there. And if it strikes a place while you are there, do not go out of the land, fleeing the epidemic." (Bukhari, Muslim).

The scholars have explained that if healthy

people run away from a place raging with plague, how will the sick be nursed? who will bury the dead, and offer their funeral prayers? The sick will be in a very bad condition with the corpses lying among them. As for themselves, they must feel confident that they will be afflicted only if Allah so wills, otherwise they will be safe. If Allah has decreed death for them, nothing can save them. The wisdom behind disallowing a person to go to a place that is afflicted with plague is that if he is afflicted on going there, he will conclude that his visiting the place brought him the sickness and he will not conclude that it was decreed by Allah.

A villager asked, "O Messenger of Allah ﷺ! (if a disease is not contagious) how is it that if a camel afflicted with mange joins other camels who are sound, he afflicts them too with mange? The Holy Prophet ﷺ asked him. "Tell me how did the first camel get the itching disease? (Bukhari). This is to say that He who afflicted the first animal with mange decided to spread this disease to the other animals too. People generally forget that when another person suffers from a sickness that a patient was already suffering from, it is the decree of Allah that this should happen. Therefore, it is advised that a person may not go to a land where plague rages lest he reasons out that he is afflicted because of the other people and not by a decree by Allah.

THE EIGHTH ADVICE:

Spend on your wife and children from your pure wealth. This advice applies particularly to those who are miserly in spending on their family. It is forbidden to earn unlawfully. Therefore, there is no question of spending unlawfully acquired wealth on one's family. Those who have been favoured by Allah must spend generously on their families. However, they must not spend wastefully or on things that are sinful. Many people buy dolls for their children and take their families to cinema, these things are sinful. They must have the pleasure of Allah in mind and spend accordingly. They must not go by the pleasure or displeasure of anyone else because they are bound to seek the pleasure of Allah alone. He is the Creator and the Owner. Our spending on our families must be in conformity with His Commands.

THE NINTH ADVICE:

Do not be careless in disciplining the members of your household and do not spare the rod lest they disobey the Commands of Allah. This means that one must never be unmindful of keeping them obedient to the Commands of Allah. Whether they like it or not, they must be asked to offer the prescribed prayers, fast during Ramadan, shun unlawful deeds and sinful living, and adopt good manners. If necessary they may be beaten to make them obey. They

must realize that if they go against religious teachings, they could be beaten. It is not the aim to beat them or threaten them to do so, the aim is to put them on the religious track. If you are lax then it will be very difficult to reform them. Many people are strict in getting their family members perform worldly tasks and they cannot tolerate any loss suffered, but as regard religious duties they look the other side when anyone is careless.

MASJID

Many Muslims themselves visit the mosque but do not investigate if any of their family members have offered their prayers or not. Often people teach what they call etiquette and manners but these things might be sinful.

They do not care about it and go on stressing on it. The most important thing is to remember their Creator but they are not attentive to it. The result is that religion is the most deprived thing in the society. Children are moulded on the western pattern and they grow up without learning the prescribed prayers. This is cruelty to the children and to the parents themselves. May Allah put us on what He likes and what pleases Him.

THE TENTH ADVICE:

Go on warning your family members about the injunctions of Islam. This is a continuation of the ninth advice. This means that do not get them to fear your rod but instill in them the fear

of Allah. They will be inclined then to follow the dictates of Islam and perform voluntary acts also. When they know what is to happen in the grave and on the Day of Resurrection, and what Hell is, they will fear Allah and not dare to disobey Him. They will aim at going to Paradise.

It is more necessary for women to be attentive to the last two advices. Men are generally outside the home and sometimes they are away years together in pursuit of livelihood. Therefore mothers are responsible for looking after and rearing their children. Normally too the men are out of the house for most of the day. If a mother conducts herself on the proper Islamic way of life and takes care to teach her children their duties in regard to prayer and other obligations, they will turn out to be pious and righteous. She must tell them what is disbelief, *bidah* (innovation) and polytheism. The first school for a child is the lap of its mother. Unfortunately, today, instead of doing this, the mothers teach their children irreligious things and are cruel to them and to themselves.

Women like for their children high paid employment's without worrying if the income is lawful or not. They like them to don the shameful dress of the western people. They want them to be materialistic. This is not expected of a Muslim woman. If their children go after high paid employment and earn a lot of money but ignore their religious duties, they will go to Hell whose fire is hotter and more fierce than the fire

we know of by sixty-nine degrees.

What we say may seem boring and old fashioned to some but it is the truth. Who so minds it may do so it will be to his loss.

Sallu allah habib

— bidah, (2 kinds good and Bad)

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THE BOOK OF DIVORCE AND IDDAH

A WOMAN WHO ASKS FOR DIVORCE UNREASONABLY WILL NOT BE ADMITTED TO PARADISE

وَعَنْ ثَوْبَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ أَيُّمَا امْرَأَةٍ سَأَلَتْ زَوْجَهَا طَلَاقًا مِنْ غَيْرِ مَبْنًى فَحَرَامٌ عَلَيْهَا رَائِحَةُ الْجَنَّةِ - (رواه احمد و الترمذى و ابو داؤد)

(ابن ماجه و الدارمى)

Hazrat Thauban رضي الله عنه said that the Messenger of Allah ﷺ said, "If any woman asks her husband for divorce without a strong reason the fragrance of Paradise will be forbidden to her."

A WOMAN WHO ASKS FOR KHUL'A IS A HYPOCRITE

وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ الْمُتَزَعَّاتُ وَالْمُخْتَلِعَاتُ هُنَّ الْمُنَافِقَاتُ - (رواه ترمذى)

According to Hazrat Abu Hurayrah رضي الله عنه the Holy Prophet ﷺ said, "Women who separate themselves from their husbands and who seek from their husbands divorce for a compensation are hypocrites." (Tirmizi)

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KHULA

When a woman asks her husband to divorce her offering in return waiver of dower or some compensation, she is said to have asked for *Khula*.

Allah has made men and women dependent on each other. They are compelled to marry. Islam forbids adultery. Therefore, it recommends the ties of marriage which in some cases is *wajib* (obligatory). We have already discussed what women and men can marry each other.

MARRIAGE IS TO LIVE TOGETHER FOR EVER

When a Muslim man and woman marry, they must resolve to love and live together for the rest of their lives. Sometimes there might be some disagreement between the two but they must forgive each other in order to abide by their resolve to stay in marriage bonds forever. The Holy Prophet ﷺ has commanded men to compromise.

لا يفرك مومن مومنة ان كره منها خلقا رضى منها
اخر (مسلم)

"A Believer must not hate a Believing woman; if he dislikes something in her, something else will please him." (Muslim)

The Prophet ﷺ advised the women not to ask for divorce. They must try to carry along.

When two people are together there is a situation sometimes that causes friction among them. If they are not patient and go on fighting they might end up in divorce. The children will suffer. The two of them will have to find other partners and the children will lose their parents. Therefore, as far as possible, go on peacefully together.

Many women are quarrelsome. They make unjust demands and are ungrateful to their husbands. They ask for divorce when the husband is strict with them. It is for this reason that *Shari'ah* has not given women the right to divorce. Then they would have pronounced divorce many times a day. Marriage is to live together forever and not to end in divorce. However, if a man divorces his wife it becomes effective although it is against the Islamic temperament.

DIVORCE IS HATEFUL

According to a Hadith

أَبْغَضُ الْحَلَالِ إِلَى اللَّهِ الطَّلَاقُ (ابوداؤد)

"Of the lawful things the most hateful in the sight of Allah is divorce." (Abu Dawood)

When Islam suggests that a husband and wife must tolerate and forbear, the demand by a wife for divorce is un-Islamic. This is why the Prophet ﷺ said, "The woman who asks for divorce or *Khula* is a hypocrite."

To claim to be a follower of Islam and not to obey it is to be a hypocrite. The greatest of the hypocrites is one who is one by heart although he shows sympathy for Islam by his tongue. When a person professes to be a Muslim and have it in his heart too but his deeds do not comply with the dictates of Islam, then he is a hypocrite as far as his deeds are concerned. According to a Hadith one who has four characteristics is an absolute hypocrite and who has one of them, he will be termed a hypocrite with one characteristic until he gives it up. The four characteristics are: (i) When he is trusted, he betrays his trust. (ii) When he speaks, he lies. (iii) When he makes a covenant, he breaks it. (iv) When he quarrels, he abuses. (Bukhari and Muslim) Because this person fails to perform in accordance with the demands of faith, he is called a hypocrite. Thus the woman, who professes to be a Muslim, fails to match her deeds with the demands of faith when she asks for divorce and is thus called a hypocrite.

However, there are situations when one cannot go on tolerating. Islam has considered such situations too. In such cases, these warnings will not apply to the man who divorces or the woman who asks for it. The words in the Hadith under discussion include "Without a strong reason". These reasons could be: the husband does not let her fulfil her religious duties or compels her to sin or beats her unnecessarily or

is unable to have intercourse with her. In such cases she can ask him for a divorce or a *Khula* or request a ruler to get her marriage annulled.

SOME WOMEN GET DIVORCE THROUGH FORCE:

Some women adjure men to divorce them although it is upon them to move away when a husband is very angry lest he utters such words. As for the husband when he concedes to her demand he goes on repeating the words so that divorce becomes effective. He does not stop at one pronouncement.

DIVORCE BECOMES EFFECTIVE AS SOON AS IT IS PRONOUNCED:

When tempers are cooled down after the divorce is pronounced, both of them repent. The man argues that he had no intention to do so. He was in a wild rage. They also put forth the excuse that the woman was pregnant or menstruating. Perhaps they suppose that divorce is not effective at times of anger, pregnancy or menstruation, they must know that divorce becomes effective the moment it is pronounced and it does not matter what the situation was at that time.

DIVORCE ALSO TAKES PLACE WHILE PRONOUNCED AS A JOKE:

When a husband utters it as a joke, then too divorce becomes valid. The Holy Prophet ﷺ

said," There are three things which, whether undertaken seriously or in jest, are treated as serious (even if done without intention): (i) marriage, (ii) divorce and (iii) taking back a wife after a divorce that is not final." (Abu Dawood)

When the divorce becomes effective, the parties run to religious scholars and jurists. They try to convince the jurist or Mufti to find a way out for them. They appeal to him to consider the faith of the children. They say that the wife may commit suicide. They contend that husband and wife love each other deeply. How can they expect the Mufti to find a way out for them? The rules are there. No one can change them. There is no way out.

RAJI DIVORCE (Revocable Divorce):

When the two parties are at logger head and there is no hope of compromise, they may resort to a revocable divorce. When the woman is not having her menstruation, the husband must consider his words and pronounce divorce once. This is one revocable divorce. This means that they may revoke it within the waiting period (or iddah) if they choose and it is not necessary to get the woman's consent for it. The husband must say orally that he has accepted his wife again. If he says so before two witnesses it is better so that at times of disagreement this becomes useful. If the two of them have a sexual intercourse within the *iddah* period then too the

divorce is revoked. This is known as *Ruju'y bil fa'l* while the oral revocation is *Ruju' bil Qaul*.

AFTER IDDAH THE REVOCABLE DIVORCE BECOMES IRREVOCABLE:

If after pronouncing the revocable divorce, it is not revoked during the waiting period it becomes irrevocable. Now, they cannot return to their former position unless they remarry by mutual consent. Thus when there seems to be no possibility of patch up between husband and wife, they may resort to the revocable divorce by pronouncing it once and revoke it within the *iddah* but if they fail to do so they have the option to remarry after this period by mutual consent.

SHARI'AH LENIENCY:

First of all, *Shari'ah* asks that husband and wife may not divorce. Then, it has suggested that if they cannot reconcile they may resort to pronouncing divorce once when the woman is free of menses; think it over and revoke it within the *iddah*. If someone pronounces the divorce in clear words twice even then he may revoke it. If someone divorces a woman once while she is not pregnant and not menstruating and does not revoke it and then when she is again free of menses he pronounces one more divorce, then too the same rule will apply which applied when it was pronounced once. Then if he does it the third time when she is again free from menses, it

becomes *Tallaq Mughalzah* (a rude divorce). The *Iddah* is for the duration of three menstruation. If the woman does not menstruate (because she is yet young or old) then it is three months, and if the woman is pregnant, the *Iddah* ends when she gives birth to her child. The divorce pronounced by the husband during *Iddah* will also be counted.

PRONOUNCING DIVORCE THREE TIMES AT ONE GO:

Men are cruel to themselves when they pronounce divorce three times at a go. When *Shari'ah* looks down upon divorce, how can it tolerate anyone doing so in one sitting. However, if anybody does so, the divorce becomes operative. In the same way if anyone pronounces the three divorces during a woman's *Iddah*, the divorce takes place. Or, if he pronounces one every time the woman purifies from the menses, then divorce takes place on the third pronouncement. They cannot now revoke it and they cannot even remarry on mutual consent. They can now remarry only after the woman spends her *Iddah*, marries another Muslim who has sexual intercourse with her, and divorces her or he happens to die and she passes another *Iddah*. This is known as *Halalah*. We will discuss it later on, *Insha Allahu*.

THE OPINION OF THE FOUR IMAMS ON THE THREE PRONOUNCEMENTS OF DIVORCE:

Some people contend that three simultaneous pronouncements of divorce are regarded as one declaration by Imam Shafa'i رحمه الله عليه. This is incorrect. All the four Imams contend that three pronouncements in one sitting, or at three different times of a woman's purity, make the divorce effective and there is no more the question of revoking or remarrying. The only way out is through *Halalah* as pointed in the preceding paragraph.

If a divorce is revoked after making one or two pronouncements, then the two can stay together as husband and wife; the pronouncements are not nullified. Thus, if at a later stage, the husband pronounces twice or once to make a total of three pronouncements, the divorce will become effective. It will become the *detested* (or rude) divorce.

THE TWO CANNOT REMARRY AFTER THREE PRONOUNCEMENTS UNLESS THE WOMAN GOES THROUGH HALALAH

وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ جَاءَتْ امْرَأَةً
رِفَاعَةَ الْقُرَظِيِّ إِلَى رَسُولِ اللَّهِ ﷺ فَقَالَتْ إِنِّي كُنْتُ عِنْدَ

becomes *Tallaq Mughialzali* (a rude divorce). The *Iddah* is for the duration of three menstruation. If the woman does not menstruate (because she is yet young or old) then it is three months, and if the woman is pregnant, the *Iddah* ends when she gives birth to her child. The divorce pronounced by the husband during *Iddah* will also be counted.

PRONOUNCING DIVORCE THREE TIMES AT ONE GO:

Men are cruel to themselves when they pronounce divorce three times at a go. When *Shari'ah* looks down upon divorce, how can it tolerate anyone doing so in one sitting. However, if anybody does so, the divorce becomes operative. In the same way if anyone pronounces the three divorces during a woman's *Iddah*, the divorce takes place. Or, if he pronounces one every time the woman purifies from the menses, then divorce takes place on the third pronouncement. They cannot now revoke it and they cannot even remarry on mutual consent. They can now remarry only after the woman spends her *Iddah*, marries another Muslim who has sexual intercourse with her, and divorces her or he happens to die and she passes another *Iddah*. This is known as *Halalah*. We will discuss it later on, *Insha Allahu*.

THE OPINION OF THE FOUR IMAMS ON THE THREE PRONOUNCEMENTS OF DIVORCE:

Some people contend that three simultaneous pronouncements of divorce are regarded as one declaration by Imam Shafa'i رحمه الله عليه. This is incorrect. All the four Imams contend that three pronouncements in one sitting, or at three different times of a woman's purity, make the divorce effective and there is no more the question of revoking or remarrying. The only way out is through *Halalah* as pointed in the preceding paragraph.

If a divorce is revoked after making one or two pronouncements, then the two can stay together as husband and wife; the pronouncements are not nullified. Thus, if at a later stage, the husband pronounces twice or once to make a total of three pronouncements, the divorce will become effective. It will become the *detested* (or rude) divorce.

THE TWO CANNOT REMARRY AFTER THREE PRONOUNCEMENTS UNLESS THE WOMAN GOES THROUGH HALALAH

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رِفَاعَةَ فَطَلَّقَنِي فَبِتَّ طَلَاقِي فَتَزَوَّجْتُ بَعْدَهُ عَبْدَ الرَّحْمَنِ
 بَنَ الزُّبَيْرِ وَمَا مَعَهُ إِلَّا مِثْلُ هُدْبَةِ الثَّوْبِ فَقَالَ أَتُرِيدِينَ أَنْ
 تَرْجِعِي إِلَيَّ رِفَاعَةَ قَالَتْ نَعَمْ قَالَ لَا حَتَّى تَذُوقِي عُسَيْلَتَهُ
 وَيَذُوقَ عُسَيْلَتَكَ - (رواه البخاري و مسلم)

Hazrat Aishah رضى الله عنها said that the wife of Rifa'ah 'al-Qurazi came to the Messenger of Allah ﷺ and said, "I was married to Rifa'ah but he divorced me, making the divorce irrevocable. Then, after that, I married Abdur Rahman bin Zubayr (after my Iddah) but all he has is like the fringe of a garment." (on hearing this) the Prophet ﷺ asked if she would like to return to Rifa'ah. She said, "Yes" The Prophet ﷺ said, "No. You cannot until you find some pleasure with him and he with you."

(Bukhari, Muslim)

If, in spite of what has been stated about pronouncing one divorce when husband and wife do not go together well, three divorce are pronounced together divorce becomes effective leaving no way of return to previous position. Now, they may remarry only after the woman goes through *Halalah*. Thus, the man must find for himself another Muslim wife and the woman may marry any other Muslim man (after her Iddah). As for the woman, if her new husband divorces her or happens to die, after they have

lived together as husband and wife, she may remarry her former husband upon completing her Iddah. The Qur'an has said:

فَإِنْ طَلَّقَهَا فَلَا تَحِلُّ لَهُ مِنْ بَعْدُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

"So if he divorces her, then she shall not be lawful to him thereafter, until she marries another husband."

If she weds this new husband and he divorces her or dies without consummating, she will not be lawful for her former husband. She can only be lawful for him when her new husband and she enjoy each other, that is have sex together, then he divorces her or dies and she passes the waiting period. This is what is mentioned in the case of the wife of Hazrat Rifa'ah. It does not follow, however, that the woman may marry another man with intent to get divorce but a possibility is stated that if these things happen that is the new husband divorces her or dies and the woman goes through her Iddah then if the two are willing, they may remarry. There is no other way they can remarry once the husband has violated the recommendations of *Shari'ah* and divorced her three times. This method is known as *Halalah*.

Generally, when a man repents after divorcing his wife and learns of *Halalah*, he pressurises the woman to remarry someone although she is no longer liable to obey him. In

fact, she may marry any Muslim of her choice at whatever dower. Further, if her new husband divorces her or dies, she is not obliged to remarry her former husband.

Supposing, the woman had consented to obey the man who had divorced her and married some other Muslim on the condition that he divorces her after consummating the marriage in order that the terms of *Haialah* be fulfilled, then this agreement is not recognised by *Shari'ah*. Hazrat Abdullah bin Masud has narrated

لعن رسول الله ﷺ المحلل والمحلل له

"The Messenger of Allah ﷺ cursed the man who made a woman lawful for her former husband and the one for whom she was made lawful." (Mishkat)

The person who marries the woman to make her lawful for her former husband is called *muhallal* and the former husband who proposes him to marry his former wife and then divorce her is known as *muhallal lahu*. Both of them are cursed. However, when the woman remarries her former husband after passing through these formalities, the marriage is legal if it is on her consent.

THE METHOD OF OBTAINING KHULA AND ITS CONDITIONS

وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ امْرَأَةً ثَابِتُ بْنُ قَيْسٍ آتَتْ النَّبِيَّ ﷺ فَقَالَتْ يَا رَسُولَ اللَّهِ ثَابِتُ بْنُ قَيْسٍ مَا أَعْتَبُ عَلَيْهِ فِي خُلُقٍ وَلَا دِينٍ وَلَكِنِّي أَكْرَهُ الْكُفْرَ فِي الْإِسْلَامِ فَقَالَ رَسُولُ اللَّهِ ﷺ أَتَرُدِّينَ عَلَيْهِ حَدِيثَهُ قَالَتْ نَعَمْ قَالَ رَسُولُ اللَّهِ ﷺ أَقْبِلِ الْحَدِيثَ وَطَلِّقْهَا بِطَلِّقَةٍ - (رواد البخارى)

Hazrat Abdullah Ibn Abbas ؓ reported that the wife of Hazrat Thabit bin Qays ؓ (Jamilah or Janibah) came to the Prophet ﷺ and said, "O Messenger of Allah I do not reproach Thabit bin Qays in respect of character or religion, but I do not want to show ingratitude to Islam (because while he spends on me, I cannot bring myself to see eye to eye with him.)." The Messenger of Allah ﷺ said, "Will you give him back his garden (if he were to divorce you that he had given you as dower)." She replied "Yes." The Messenger of Allah ﷺ said (to Thabit bin Qays ؓ), "Take the garden and pronounce the divorce once." (Bukhari)

The Islamic teachings discourage annulment of marriage ties because the effects are far reaching and wide. Apart from the two parties,

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The Islamic teachings discourage annulment of marriage ties because the effects are far reaching and wide. Apart from the two parties,

the children suffer and sometimes two families and tribes join in the dispute. The guidance contained in the Qur'an and Hadith for the spouses aim at strengthening the family ties so that they are maintained forever. Husband and wife may try to compromise, but if they fail, the elders on the two sides may try to get them together as the Qur'an says:

فَابْعَثُوا حَكَمًا مِّنْ أَهْلِهِ وَحَكَمًا مِّنْ أَهْلِهَا (النساء)

".... appoint an arbiter from his people and an arbiter from her people (an-Nissa, 4: 35)

This is advised to prevent the dispute from being known outside family circles, and the arbiters may reproach between the two.

However, sometimes such a situation arises that it becomes necessary to end relations in order to save the two of them from torment. Therefore, Islam has not prescribed that the marital ties can never be broken as some other religions have prescribed. The law of divorce and annulment is there. The right of divorce is allowed to man only and a woman is not given this right lest she may exercise it being overcome with momentary demands. However, she is not totally deprived of this right. In situations when she cannot live with her husband, she is permitted to try to convince him to divorce her. The husband is advised that when he finds himself faced with such a request and sees no

way of compromise, he may oblige and pronounce one divorce so that after she spends her *Iddah* she may marry whenever she likes.

Again, if the husband is unmoving and does not divorce her, the woman may offer him a monetary return for the divorce. Generally, a woman forgoes her dower and the man takes it and divorces her. This is known as *Khula*. Just like at the time of marriage and other *Shari'ah* dealings, the parties have to express their consent when executing *Khula*. However, if this is because of excess by the husband then he must not claim or accept the monetary payment but divorce her without the return.

The case of the wife of Hazrat Thabit bin Qays ؓ is clearly one where she finds difficult to live with him although he is very pious. Here, the husband was not at fault so the Prophet ﷺ advised her to return to him the garden he had paid in the dower. However, it is not binding on a husband to divorce his wife against monetary compensation when she asks for it. The ulama tell us that the directive of the Prophet ﷺ to Hazrat Thabit bin Qays was not a command to him. It must be observed that the Holy Prophet ﷺ advised him to declare divorce once on accepting the compensation; a divorce against return is irrevocable divorce although it may be one declaration or two. When the parties patch up afterwards they may remarry. However, if three pronouncements are made, they can only

remarry after the *Halalah* is gone through. Therefore, the Prophet ﷺ did not ask him to make three pronouncements. This sort of divorce is not the revocable divorce because if the husband revokes it, the woman will have paid the compensation but she will not have been relieved from the marital ties. It is also worth observing that the Prophet ﷺ did not choose to annul the marriage but asked the husband to receive back the garden he had given in the dower and divorce his wife.

RULINGS:

- (1) If a wife asks her husband to relieve her against the dower or against some payment and he says "I have relieved you" while they are still there then he is deemed to have declared an irrevocable divorce once and he is no more entitled to revoke it. Both the woman's request and the man's response must take place in the same sitting. If one of them moves out of the place before the response, then the request is considered withdrawn or the response negative. If the husband pronounces the divorce after they reassemble, the divorce will be effective but the woman is not held bound to pay any compensation. This will be considered a revocable divorce whether pronounced once or twice. If pronounced thrice, it will be a *rude or detested divorce*.

This happens when the woman was the one to put forth the request.

- (2) When it is the man who brings up the subject and says that he will give her *Khula* against the waiver of dower or a specified sum of money and the woman accepts then the *Khula* is validly effective; it will be like an irrevocable divorce. If the woman goes out of there without answering but agrees later on or gives no reply whatever, the divorce has not taken place. If, however, the man leaves her after making the offer before she answers and later on she accepts his offer, the *Khula* is effective.
- (3) When the husband offers to relieve her by *Khula* and the wife agrees the *Khula* is effective although they may not have mentioned the compensation to be paid or the dower to be forgiven. In such cases the monetary right of the husband over the woman and hers over him is deemed forgiven. If the dower was due to be paid by the husband, all of it, or any part of it that portion is forgiven. If the woman has received the dower she is not liable to return it. However, the husband is responsible to provide for her and give her accommodation until her *Iddah* (period of waiting) elapses. If the woman has generously forgiven him these things then he is not responsible for them.

- (4) When the *Khula* is agreed upon by the two for a specified sum of money then the woman is bound to pay it whether she has received her dower previously or not. If the dower is not received by her, she will not now get it; it is forgiven because of *Khulq*. She will have to give him the agreed sum of money.

DIVORCE AGAINST WEALTH:

The foregoing instances were applicable when the word *Khula* is used or the woman says "Relieve me against so much money, or against my dower." If she says, "Divorce me against so much money," it is not *Khula*. However, if her husband divorces her against that specified sum, this will be an irrevocable divorce. This is not *Khula* therefore, the ulama call it *Tallaq bil-Mal* (Divorce against wealth). When this divorce is given, the husband will receive from his wife the sum specified for the divorce but the rights of each other will not be forgiven. The woman can claim the unpaid dower. This is a form of divorce that takes effect upon the consent of both parties.

RULINGS:

- (1) The woman asks for a divorce. The man asks for the dower etc. to be forgiven so that he may divorce her. She writes down that she forgives these things but the husband retracts and does not divorce her. The forgiving of the wife also stands

revoked. It is only if the husband divorces her that the dower etc. will stand forgiven.

- (2) If the husband compels the wife to agree to *Khula* by beating her either getting her to say the words or to impress her thumbs or signature on the document, then the divorce will become effective but the debts of the woman will remain unforgiven. He will have to pay the dower if as yet unpaid and any other outstanding.
- (3) If a husband prepares a document on behalf of his wife declaring that she has obtained *Khula* against waiver of dower or any other right and without explaining it to her, gets thumb impression or signature thereon, the dower or the rights of the wife will stand as they were - nothing will be deemed to have been forgiven by her. However, if he has divorced her or consented to *Khula*, then the woman is divorced. If this husband convinces the courts and absolves himself of meeting any of the rights of his wife on the basis of this document, he will yet have to face the final Judge on the Day of Resurrection. There, he will have to surrender his pious deeds to his wife or get her sins on himself.

We have written these details to clarify that *Khula* is not one-sided but it is agreed upon by both the husband and wife.

THE DECISIONS OF THE PRESENT DAY RULERS ON KHULA AND ANNULMENT OF MARRIAGE IS NOT IN LINES WITH SHARI'AH

The present day rulers or judges decide on cases filed by women to annul their marriage and call it *Khula*. This contravenes *Shari'ah*. Sometimes the summons are not served on the husband. Sometimes he attends the court and expresses willingness to meet the rights of his wife. However, the decision is taken to annul the marriage on the plea that the woman does not like to live with her husband. This may confirm to western laws but it is against *Shari'ah* (because the consent of the husband is not obtained) and this does not annul the marriage so that it is wrong on the part of the woman to marry someone else on the basis of this judgement. Under certain circumstances a Muslim ruler is authorised to annul a marriage. However, a marriage is not annulled without particular reasons or particular methods. The reasons are: (i) A husband turns mad. (ii) He is unyielding and does not meet her expenses. (iii) Is impotent (iv) Is missing, and it is not known if he is alive or dead. (v) Is untraceable but not missing that is, it is known that he is alive but cannot be traced. For these reasons but under certain conditions and limits, a Muslim ruler may annul

the marriage. These conditions, etc, are found in the book *al-Hilatul Najizah*. It must be understood that a marriage will not be annulled on the judgement of a disbelieving judge (Qadyani, Christian, etc.) even if he keeps the reasons and conditions under view.

THE IDDAH AFTER DIVORCE AND AFTER DEATH OF HUSBAND

وَعَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ أَنَّ سُبَيْعَةَ أَلَّا سَلَمِيَّةَ نَفِسَتْ بَعْدَ
وَفَاةِ زَوْجِهَا بَلِيَالٍ فَجَاءَتْ النَّبِيَّ ﷺ وَاسْتَأْذَنَتْهُ أَنْ تَنْكِحَ
فَإِذِنْ لَهَا فَنَكَحَتْ (رواه البخارى)

Hazrat Miswar bin Makhrama ؓ said that some days after the death of her husband Hazrat Subayah al-Aslamiyah ؓ gave birth to a child. Then she came to the Prophet ﷺ and asked permission to marry someone (because her *Iddah* was over on the birth of the child). He gave her the permission and she married.

(Bukhari)

When a woman is divorced or her husband dies, she has to spend a waiting period that is known as *Iddah*. It is in accordance with *Shari'ah*. She can remarry only after the passage of this time. There are also some other restrictions on her during this period of waiting. We will revert shortly to the question of *Iddah* in relation to the foregoing *Hadith*.

When a woman is divorced immediately after the wedding and the husband and wife have had no sexual intercourse, she is not required to undergo the period of waiting. The Qur'an says in this regard:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا نَكَحْتُمُ الْمُؤْمِنَاتِ ثُمَّ طَلَقْتُمُوهُنَّ مِنْ قَبْلِ أَنْ تَمْسُوهُنَّ فَمَا لَكُمْ عَلَيْهِنَّ مِنْ عِدَّةٍ تَعْتَدُونَهَا فَمَعَهُنَّ وَسِرَّحُوهُنَّ سَرَاحًا جَمِيلًا (سورة الاحزاب)

"O you who believe, when you marry Believing women and then divorce them before you have touched them, there is no waiting-period for you to reckon in respect of them. But make provisions for them, and release them with a goodly release."

(al-Ahzab, 33: 49)

If the couple have had sexual intercourse and if the woman is pregnant, her waiting period will end on the birth of her child even if it is on the following day. It may even take months, or a year or more (the period of pregnancy may last up to two years according to *Shari'ah*).

If the woman is not pregnant, then her waiting-period is until she menstruates three times. No time is fixed for her. Whenever she has had her third menstruation (after she starts her *Iddah*), her *Iddah* will end. Whatever is said by women in this regard limiting the *Iddah* to three months and three days or ten days has no

ground in *Shari'ah*.

The time of the waiting-period in the case of a pregnant woman is on the birth of her child and otherwise it is to wait for three menstruations to be gone through.

RULING:

If a woman who is divorced has never yet had menstruation or she has passed the age when menstruation has ceased to occur then the period of waiting for her is three months according to the lunar calendar. The Qur'an has stated in surahs *al-Baqarah* and *at-Talaq*.

(البقره) وَالْمُطَلَّقَاتُ يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ

"And the divorced women shall wait, keeping themselves apart, for three monthly periods....."

(al-Baqarah, 2: 228)

وَالَّذِي يَيْسُنَ مِنَ الْمَحِيضِ مِنْ نِسَائِكُمْ إِنْ ارْتَبْتُمْ فَعِدَّتُهُنَّ ثَلَاثَةُ أَشْهُرٍ وَالَّذِي لَمْ يَحِضْنَ

As for the women whose husband has died, her waiting period if she is pregnant ends on the birth of her child whether it is after three days or even less than that or it is a longer period. The foregoing Hadith spoke of this thing. If this woman is not pregnant, her *Iddah* is four months and ten days by the lunar calendar whether she menstruates or not. The Qur'an says:

وَالَّذِينَ يُتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا (البقرة ٢٣٥)

"And those of you who die, and leave their wives, such women shall wait by themselves for four months and ten days...." (at-Talaq-65:4)

RULINGS:

- (1) As for the woman whose marriage is annulled by a Muslim ruler according to *Shari'ah*, she will go through the waiting period of a divorced woman.
- (2) The woman who has obtained *Khula*, she also has to wait by herself as a divorced woman.
- (3) The provision and accommodation for the woman who is divorced for the period of *Iddah* is the responsibility of the man who has divorced her, provided she stays in the house of her husband where she had been staying before she was divorced. If she goes to the house of her parents, the husband is not responsible for her provision. It must be understood that the waiting period must be spent at the house of her husband where she was divorced and if it is an irrevocable divorce or a despised divorce she must veil herself from her husband.
- (4) If she forgives her husband the provision of her expenses, then these stand forgiven.

- (5) As for the woman whose husband is dead, she is entitled to his inheritance but not the expenses during the *Iddah*. If she has not received her dower and has not forgiven it either, then she will first receive it before the inheritance.
- (6) If anyone has married a woman on condition that there will be no dower or this issue was not brought up at all and then he divorced her before they could have a sexual intercourse then he will be liable to give her a dress consisting of four pieces a shirt, trousers, dupatta and a covering sheet that extends from head to foot. If they had not discussed the dower and they had the sexual intercourse and he divorces her or dies then the dower will be by example. This means that the dower will be as much as is given to other girls of the woman's family and the girl is like this woman in beauty, age, religion and manners.
- (7) The period of waiting for a woman begins upon divorce or death of her husband. If she learns of her divorce or death of her husband after her waiting period is over then she will not have to go through the waiting period any more.
- (8) As for a divorced woman who had not yet experienced menstruation and she began her waiting period in terms of months, but

وَالَّذِينَ يَتُوفُونَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا (البقرة ٢٣٥)

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- (1) As for the woman whose marriage is annulled by a Muslim ruler according to *Shari'ah*, she will go through the waiting period of a divorced woman.
- (2) The woman who has obtained *Khula*, she also has to wait by herself as a divorced woman.
- (3) The provision and accommodation for the woman who is divorced for the period of *Iddah* is the responsibility of the man who has divorced her, provided she stays in the house of her husband where she had been staying before she was divorced. If she goes to the house of her parents, the husband is not responsible for her provision. It must be understood that the waiting period must be spent at the house of her husband where she was divorced and if it is an irrevocable divorce or a despised divorce she must veil herself from her husband.
- (4) If she forgives her husband the provision of her expenses, then these stand forgiven.

- (5) As for the woman whose husband is dead, she is entitled to his inheritance but not the expenses during the *Iddah*. If she has not received her dower and has not forgiven it either, then she will first receive it before the inheritance.
- (6) If anyone has married a woman on condition that there will be no dower or this issue was not brought up at all and then he divorced her before they could have a sexual intercourse then he will be liable to give her a dress consisting of four pieces a shirt, trousers, dupatta and a covering sheet that extends from head to foot. If they had not discussed the dower and they had the sexual intercourse and he divorces her or dies then the dower will be by example. This means that the dower will be as much as is given to other girls of the woman's family and the girl is like this woman in beauty, age, religion and manners.
- 7) The period of waiting for a woman begins upon divorce or death of her husband. If she learns of her divorce or death of her husband after her waiting period is over then she will not have to go through the waiting period any more.
- 8) As for a divorced woman who had not yet experienced menstruation and she began her waiting period in terms of months, but

before the three months are gone, she menstruates, then she will now have to wait until three menstruating periods are over.

- (9) It is wrong to divorce a woman while she menstruates. If someone does not regard *Shari'ah* directives and does divorce his wife during her monthly courses, the divorce will be effective. Her waiting period will be three monthly courses apart from the one she has been experiencing.
- (10) If anyone has divorced his wife while he was ill and it is an irrevocable divorce, then he dies while her waiting period has not yet elapsed, then she will have to wait for whichever waiting is longer. The waiting period through divorce or death of husband will be compared and she will wait the longer period of the two. If the divorce during his illness was a revocable divorce, and he dies before the waiting period is over, she will have to wait the waiting period that applies on the death of a husband.

IT IS WAJIB TO MOURN DURING THE WAITING PERIOD

وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا عَنِ النَّبِيِّ ﷺ قَالَ الْمُتَوَفَّى عَنْهَا زَوْجُهَا لَا تَلْبِسُ الْمُعْصِفَرُ مِنَ الثِّيَابِ وَلَا الْمُمَشَّقَةَ وَلَا الْحُلِيَّ وَلَا تَخْضِبُ وَلَا تَكْتَحِلُ (رواه ابو داود)

Hazrat Umm Salmah رضى الله عنها said that the Messenger of Allah ﷺ said, "One whose husband has died must not wear garments dyed with saffron or red clay, or jewels, and she must not apply henna or collyrium."

(Abu Dawood)

A woman who is divorced or whose husband dies must stay in the same house where she used to stay while she had marital ties with her husband as long as her waiting period lasts. It is not right for her to leave this house and go to another. Many women, on the death of their husbands or on being divorced go to the houses of their parents. This contravenes *Shari'ah*. It is not proper for her to go out of her house or for her in-laws to drive her out. The Qur'an says:

لَا تُخْرِجُوهُنَّ مِنْ بُيُوتِهِنَّ وَلَا يَخْرُجْنَ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ مُبَيَّنَةٍ

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قَالَ الْمَتَوَفَّى عَنْهَا زَوْجُهَا لَا تَلْبِسُ الْمُعْصَرَفُ مِنَ
الْثِّيَابِ وَلَا الْمُمَشَّقَةَ وَلَا الْحُلِيَّ وَلَا تَخْضُبُ وَلَا
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"Do not expel them from their houses nor should they themselves go forth, except when they commit a manifest indecency....."

However, the woman who is widowed, if she has no means of livelihood, may leave the house to work for her livelihood but she must return to the house where she used to live with her husband before sunset. It is not required of her to restrict herself to a corner of her house or a room as women generally suppose. (She may move about the house while she confines herself there).

The woman who has been given a revocable divorce is also required to stay inside the house of her husband. The woman who is spending the waiting period is required to stay indoors and to spend it in mourning. To mourn is to shun adornment. The Hadith under discussion, describes the duties of mourning. This applies to the woman whose husband is dead as also to her who is divorced through an irrevocable divorce or a rude or despised divorce. In short, that woman is required to mourn during her period of waiting whose husband has died or who has been divorced in such a way that she cannot be rejoined to her husband (through revocation or marriage without *Halalah*). When the waiting period is over she may give up the mourning. During the period of waiting she cannot marry anyone and personal adornment is for a husband, therefore, it is disallowed during the waiting period. During the mourning period she

may not wear a fashionable dress or put on an appearance that attracts men. The dress must not be attractive, she may not apply fragrance or wear jewels. She may not use a fine-toothed comb and may not apply hair oil or collyrium. If her eyes are painful, she may apply collyrium at night but clean it during the day. She may not use fragrant soap while she bathes herself. If she applies her oil to ward off headache, it must not be a fragrant-smelling hair oil, but she may not part her hair. She cannot eat pan (beetle leaves) and get its red colour on her lips, or use red powder on her teeth. She cannot wear flowers, apply henna or lipstick or nail polish.

RULINGS:

- (1) It is required by *Shari'ah* that a woman mourn during the waiting period from death of her husband or on being divorced. Even if she feels pleased on account of being relieved, she has to mourn.
- (2) If the marriage is annulled by the court of law (inaccordance with *Shari'ah*), then too the woman is required to go through the waiting period and to mourn.
- (3) It is not *Wajib* (obligatory) for a minor girl to mourn when her husband dies or she is divorced.
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- (4) The woman who has been given an irrevocable divorce or a *despised* divorce is also required to stay at the house of her

husband and veil herself from him. It is *wajib* (obligatory) for her to do so. The woman who has been given a revocable divorce may not mourn and she may adorn herself.

THE PERIOD OF WAITING IN THE DAYS OF IGNORANCE

وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ جَاءَتْ
امْرَأَةً إِلَى النَّبِيِّ ﷺ فَقَالَتْ يَا رَسُولَ اللَّهِ إِنَّ ابْنَتِي تُؤَفِّي
عَنْهَا زَوْجَهَا وَقَدْ اشْتَكَتْ عَيْنُهَا أَفَنَكْحُلُهَا فَقَالَ
رَسُولُ اللَّهِ ﷺ لَا مَرَّتَيْنِ أَوْ ثَلَاثًا كُلَّ ذَلِكَ يَقُولُ لَا تُمْ قَالِ
إِنَّمَا هِيَ أَرْبَعَةُ أَشْهُرٍ وَعَشْرًا وَقَدْ كَانَتْ إِحْدُ كُنَّ فِي
الْجَاهِلِيَّةِ تَرْمِي بِالْبَعْرَةِ عَلَى رَأْسِ الْحَوْلِ

(رواه البخاري ومسلم)

Hazrat Umm Salmah رَضِيَ اللَّهُ عَنْهَا said that a woman companion رَضِيَ اللَّهُ عَنْهُمْ came to the Prophet ﷺ and said, "Messenger of Allah, the husband of my daughter has died and her eye is painful. May we apply collyrium to it?" He said, "No." twice or thrice, saying "No." all the time. Then he said, "It is only four months and ten days, whereas in the days of ignorance none of you threw away the piece of dung till a year was out." (Bukhari, Muslim)

Women were subjected to different rules on the death of their husbands in pre-Islamic era. These rules were imposed by religion and nations and tribes. The Hindus in India required the widow to burn herself with the pyre of her husband. This is called *sati*. The Arab widows had to pass a very tough year. The *sunan* Abu Dawood describes it for us: "When the husband of a woman died she was confined to a small room. She wore the worst of clothes. She could not apply any fragrance and anything on her body (to clean or wash herself). At the end of the year an animal like a donkey or goat, or a bird was brought to her with which she rubbed her private organ. Since she lived unclean for a year her body carried poisonous germs and the animal generally died. (this was done as an omen.) She then emerged from the room and camel dung was given to her that she threw ahead and behind her. The people thus knew that her waiting period was over. This also served as an omen that she threw out misfortune as she threw dung. She then applied fragrance etc. as she pleased."

The Holy Prophet ﷺ reminded the woman this restriction of pre-Islamic days against the limit of four months and ten days with mourning set by Islam. In spite of that they thought of evading the Islamic law. The Prophet ﷺ did not allow the girl who had eye trouble to apply collyrium. The ulama contend that perhaps that

girl could do without collyrium because Hazrat Umm Salmah رضى الله عنها has ruled that out of necessity a woman who is mourning may apply collyrium at night.

IT IS A SIGN OF IGNORANCE TO OBJECT TO A WIDOW REMARRYING

The Hindus thought of it a defect for a widow to remarry. A woman could not live peacefully because of the taunts of her mother-in-law and sister-in-law. She had to live alone the rest of her life. Even if she was thirteen years old and she became a widow she was required by religion to burn with her husband's pyre. If she did not she would have to face life long hatred so she preferred the pyre. In contrast, Islam recommended a widow to remarry and at times made it *wajib* (obligatory) for her (to remarry after the *Iddah*). She may marry a third if the second dies, and if he happens to die, she may marry a fourth. The Holy Prophet ﷺ married widows whose husbands had died. Some of them had been married twice before they married the Prophet ﷺ. Today, some people among the Muslims too do not approve the remarrying of a widow and they live the rest of their lives alone. May Allah have mercy on us, these people dislike what the Prophet ﷺ had done; this is the height of ignorance. These people must repent to Allah for their behaviour that might cause them to lose their faith.

Islam has elevated women and granted her respect but it is regrettable that women disregard the laws of Islam and prefer to live in ignorance.

HOW IS IT TO MOURN THE DEATH OF ANYONE APART FROM ONE'S HUSBAND

وَعَنْ زَيْنَبِ بِنْتِ أَبِي سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا
قَالَتْ لَمَّا أَتَى أُمَّ حَبِيبَةَ لَغَى أَبِي سُفْيَانَ دَعَتْ فِي الْيَوْمِ
الثَّالِثِ بِصُفْرَةٍ فَمَسَحَتْ بِهِ ذِرَاعَيْهَا وَ عَارِضَتِهَا
وَقَالَتْ كُنْتُ عَنْ هَذِهِ غَنِيَّةٌ سَمِعْتُ النَّبِيَّ صَلَّى اللَّهُ
تَعَالَى عَلَيْهِ وَسَلَّمَ يَقُولُ لَا يَحِلُّ لِمَرْأَةٍ تَوُ مِنْ بِلَا اللَّهِ
وَالْيَوْمِ الْآخِرِ أَنْ تُحِدَّ فَوْقَ ثَلَاثٍ إِلَّا عَلَى زَوْجٍ
فَإِنَّهَا تُحِدُّ عَلَيْهِ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا

According to Hazrat Zaynab رضى الله عنها bint Hazrat Abu Salmah رضى الله عنها on the third day after learning of the death of her father, Hazrat Abu Sufyan رضى الله عنه she sent for perfume that was yellow in colour. She applied it to her arms and cheeks. She said, "I did not need it. (Lest I be among those who mourn more than three days. I applied it.) I had heard the Holy Prophet ﷺ say: "It is not lawful for a woman who believes in Allah and the last Day to mourn (a dead person) more than three days except her

husband whom she should mourn four months and ten days (on his death)." (Muslim)

To mourn is not to wear the clothes that men like, not to apply collyrium, henna and give up other things of adornment. We have seen this in detail in discussing the previous Hadith. The woman whose husband has died will wait for four months and ten days if she is not pregnant. If she is pregnant the waiting period lasts until the birth of her child. In either case she will also observe mourning. Apart from one's husband, a woman may also mourn for a close relative (son, father etc.) on his death but this is permitted for three days and three nights only. It is unlawful to mourn more than that.

Hazrat Umm Habibah رضى الله عنها was a wife of the Holy Prophet ﷺ and the daughter of Hazrat Abu Sufyan رضى الله عنه. She did not apply fragrance for two days on learning of the death of her father then on the third day she applied it. She did not need to apply it but she did so that she may follow the Prophet's directive that one must not mourn any dead (apart from her husband) more than three days and three nights. She did not even wait for the three days to pass. A similar thing happened with Hazrat Zaynab bint Jahash رضى الله عنها. She was also one of the Prophet's wife. When she was informed of the death of her brother, she sent for perfume and applied it.

Those who have explained this Hadith say

that it is permitted to mourn the death of anyone else besides a husband. It is not *wajib* (obligatory) but out of respect for natural feelings, a woman is permitted to mourn the dead. However, she cannot mourn anyone else apart from her husband for more than three days. That would be sinful. Men are not permitted to mourn. There is no Hadith to support their mourning. Today, people do not follow the Prophet's sayings and deeds but they follow their own desires and disobey Allah and His Messenger ﷺ at times of misfortune and sorrow. When a woman is asked to mourn the death of her husband she is displeased. She also disobeys the *shari'ah* by not observing the waiting period. And if she feels like, she mourns the death of a person other than her husband for weeks together. This habit of disregarding the rules directives of *Shari'ah* leads to sinning. May Allah guide us! *Aameen*.

The habit of mourning is more marked in the month of Muharrum. Seeing the Shias, the Sunnis also go into mourning, particularly the first ten days. They wear black clothes and see that their children also do so. They abstain from sexual intercourse. This is the result of ignorance. Hazrat Husayn رضى الله عنه was martyred in this month. To remember that event people weep. They beat their breasts and injure themselves with knives. They relate false tales and compose poetry and eulogy. They think they are being virtuous although this behaviour is wholly sinful. Why do

they love Hazrat Husayn ؑ? Is it not because he was the grandson of the dear Messenger of Allah ﷺ. Then why disobey the instructions of the Messenger of Allah ﷺ.

The Holy Prophet ﷺ said that a woman cannot mourn anyone besides her husband for more than three days. And, a man is not permitted even that much. Then why this mourning after fourteen hundred years? Will Hazrat Husayn ؑ be happy with those who defy the wishes of his grandfather? Will the Holy Prophet ﷺ intercede for those who disobeyed him and brought in new things in his religion? In fact, we know from Hadith that those who have made changes in Islam will be removed away from the spring of *Kauthar*. The Prophet ﷺ will say, "Away! Away! those who changed my religion after me!" (Mishkat)

In *al-Maudu'at al-Kabir*, Mulla Ali Qari رحمه الله عليه has written:

وقَدْ اشتهر عن الروافض في بلاد العجم من الخراسان
والعراق بل في بلاد ماوراء النهر منكرات عظيمة من
لبس السواد والدوران في البلاد وجرح رؤسهم
وابدانهم بأنواع الجراحة ويدعون بأنهم محبوا أهل
البيت وهم بريئون منهم (صفحة ١٠٥ محتبائي)

"In the lands of the non-Arabs, the Rawafid

(Shias) initiated many gravely sinful deeds. These lands include Khurasan, Iraq, and whatever is behind the rivers. The deeds that they have introduced include the donning of black clothes and they roam about in the cities injuring their heads and bodies in different ways. And they claim to be lovers of the *alil-Bayt* (people of the house of the Prophet ﷺ) while they are fed up of these people."

ISLAM DOES NOT RECOGNISE MOURNING BY MEN AT ANY TIME

We find in *Fatwa Alamgiri*:

وَيُكْرَهُ لِلرَّجُلِ تَسْوِيدَ الثِّيَابِ وَ تَمَزِيقَهَا لِلتَّعْزِيَةِ
(فتاوى عالمگیری)

It is not lawful for men to wear black clothes and tear them up on the pretext of mourning.

The Holy Prophet ﷺ said:

أَنَا بَرِيءٌ مِمَّنْ خَلَقَ وَصَلَقَ وَخَرَقَ

"I am fed up with him (who in mourning) someone dead, shaves his head, shouts aloud, and tears off his clothes." To tear off one's clothes is unlawful for men and women alike.

We all know that the Messenger of Allah ﷺ departed from this world after the religion of Islam was perfected.

الْيَوْمَ اكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتِمَمْتُ عَلَيْكُمْ نِعْمَتِي

وَرَضَيْتُ لَكُمُ الْإِسْلَامَ دِينًا (مائده)

This day have I perfected your religion for you and completed my blessing on you and have approved Al-Islam as a Din (code of life) for you.

When we say that Islam is a perfect religion, we know that it has specified clearly what is lawful and what is unlawful and what deeds earn reward and what deeds call for punishment. It has shown clearly how one may live and has guided us how to act in different situations of our life. Now, none is authorised to add any duty or declare anything lawful as unlawful and anything that is unlawful a lawful. *Shari'ah* does not permit men to mourn anyone while it prescribes a mourning of four months ten days for women whose husbands die. She is also permitted to mourn any other relative for three days. Then how is it that men mourn and wear black clothes in mourning and women to mourn in ways not approved by *Shari'ah*? *Shari'ah* has not placed any restriction on husband and wife having intercourse in the month of Muharrum. It does not disallow anyone to don clean clothes or to apply henna or adorn oneself. What Allah has made lawful, why should anyone deny it to himself? Why must we forgo guidance that the Qur'an and Hadith give us and push ourselves in the wrong way. The Qur'an says:

قُلْ أَرَأَيْتُمْ مَا أَنْزَلَ اللَّهُ لَكُمْ مِنْ رِزْقٍ فَجَعَلْتُمْ مِنْهُ حَرَامًا وَحَلَالًا قُلْ اللَّهُ أَذِنَ لَكُمْ أَمْ عَلَى اللَّهِ تَفْتَرُونَ (سوره يونس)

"Say: "Have you considered what sustenance Allah has sent down for you, and you have made some of it unlawful and some lawful?"

"Say: Has Allah permitted you, or do you forge a lie against Allah?" (Yunus 10:59)

The Qur'an also says:

وَلَا تَقُولُوا لِمَا تَصِفُ أَلْسِنَتُكُمُ الْكَذِبَ هَذَا حَلَالٌ وَهَذَا حَرَامٌ لِتَفْتَرُوا عَلَى اللَّهِ الْكَذِبَ إِنَّ الَّذِينَ يَفْتَرُونَ عَلَى اللَّهِ الْكَذِبَ لَا يُفْلِحُونَ (سوره نحل)

"And say not, as to what your tongue describe, the lie. "This is lawful and this is forbidden;" so that you may forge against Allah a lie. Surely those who forge a lie against Allah shall not prosper. (An-Nahl 16: 116)

This verse also disallows us to label anything lawful or forbidden by ourselves for what is permitted by Allah will remain lawful whether it is the month of Muharrum or any other. Whatever is forbidden by Allah will remain unlawful. The slaves of Allah have no say in this regard. May Allah guide us! *Aameen*.

MAINTENANCE OF CHILDREN AFTER DIVORCE

وَعَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ عَبْدِ اللَّهِ بْنِ
عَمْرِو أَنَّ امْرَأَةً قَالَتْ يَا رَسُولَ اللَّهِ إِنَّ ابْنِي هَذَا كَانَ
بِطَنِّي لَهُ وَعَاءٌ وَتُدْنِي لَهُ سِقَاءً وَحَجْرِي لَهُ حِوَاءٌ وَإِنَّ
أَبَاهُ طَلَّقَنِي وَارَادَ أَنْ يَنْزِعَهُ مِنِّي فَقَالَ رَسُولُ اللَّهِ ﷺ
أَنْتِ أَحَقُّ بِهِ مَالَهُ تَنْكِحِي. (رواه احمد و ابو داود)

Hazrat Amr bin Shu'ayb reports his father as quoting his grandfather, Abdullah bin Amr say that a woman complained, "O Messenger of Allah, ﷺ this son of mine! My womb was a vessel for him, my breast like a water-skin for him and my lap a safe-heaven for him. Now, his father has divorced me and wishes to take him away from me." The Messenger of Allah ﷺ said to her, "You have more right to him as long as you do not marry." (Mishkat, Abu Dawood)

Allah has caused human being to procreate. Children born as infants are weak and need to be nurtured and looked after by their parents. This responsibility is placed on them by *Shari'ah* but even otherwise they are naturally inclined to it. These infants grow stage by stage under the eyes of their father and mother. Sometimes, however, for one reason or other, parents divorce and the

upbringing of children becomes a severe problem. *Shari'ah* has given instructions to deal in such a situation.

In the case described in the Hadith narrated above. The Holy Prophet ﷺ ruled in favour of the mother that she was more entitled to look after the child as long as she did not marry anyone. She had presented her case in a very straightforward manner. She had borne the child in her womb, breast-fed it and protected it, and her husband who had then divorced, claimed custody of the child.

When parents separate because of divorce and there remains no way for them to rejoin then the Holy Prophet ﷺ has said that the mother is more entitled to nourish the child provided she does not marry anyone. The ulama have explained this Hadith that if she does not marry anyone she has the right to look after the child. If she marries anyone who is a *mahram* to the child, like its paternal uncle, then too she will get the child because he will also love the child and will not object to its mother paying attention to it. However, if she marries someone who is not a *mahram* of the child she will not have the right to custody of child to nourish it, because her new husband may object to her looking after it on the grounds that his rights are overlooked or not properly fulfilled. It is possible he may not treat it well or prefer his own children over this child. Whatever be the reason besides these, the right

does not rest with a mother to look after her children once she marries someone who is not its *mahram*.

What we have spoken of as a right of the mother cannot be imposed on her forcibly if she does not wish to use her right. However, if no other woman can be convinced to see to the child, then the mother must be compelled to nurture it. If a mother does not use her right to care for the child, then within the period for which the right is allotted to a mother she may opt to use her right to nourish it. Similarly, if she loses her right on account of marrying someone who is not a *mahram* to the child, her right is restored to her once she receives divorce from this husband or separates from him (due to his death).

RULINGS:

- (1) During the period she is in Iddah, she must not receive payment for nourishing the child. However, the husband will provide her during the waiting period because of her legal waiting.
- (2) After the waiting period is over, she may claim remuneration for feeding the child. The father of the child cannot say that if he has to pay remuneration, he will get another woman to feed the child. However, if the other woman will take a lesser remuneration, then the mother can not

insist on feeding the child herself and charge more; she has the right to have the other woman stay with her that she may not be separated from the child. If a mother is willing to feed the child but her milk is unhealthy for it, then the father may ask another woman to feed it.

- (3) A mother cannot be compelled to breast-feed her child against her will. However, if the child will not drink the milk of any other woman then it is wajib (obligatory) for the mother to feed the child.
- (4) If a mother is a bad charactered woman who could influence her child, then the child may only be left with her as long as it has not developed understanding. Once it grasps things, it must be taken away from her. Besides, if a mother is often away from home leaving the child to tend for itself that may cause it harm then she must not be given the right to nourish the child.
- (5) If a mother dies or refuses to nourish the child, or she loses her right to do so, then the maternal grand mother will raise the child. If she is not alive or does not take responsibility, then the maternal great grand mother will do it. If she also refuses to do so or is dead, then the father's mother, or the father's grand mother (paternal great grand mother) will do it.

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After that the real sisters will be asked to care for the child. If they cannot, then sisters from the mother's side, then sisters from the side of the father. If none of them is willing or available, then a sister of the mother of the child, then its father's sister. Then the sister of the mother of the child's mother, the sister of the child's father's mother. Whoever nourish the child, the father is responsible to bear the expenses.

(6) If no woman is found among the relatives of the child to nourish it, then the father is entitled to rear it up. If he is not there, then the grand father and then the great grand father. If they are all not there then a brother of the child, otherwise a brother who has common father with the child. If none of them is there then a scholar may be asked to provide a solution.

(7) Whoever gets the right to rear up the child, gets it for seven years if it is a male child but nine years if it is a female child. The guardian will keep the child with him for this pevioid and raise it.

TO GIVE AZAN IN ITS EAR AND ASK AN ELDER TO PERFORM TAHNIK

وَعَنْ أَبِي رَافِعٍ رَضِيَ اللَّهُ عَنْهُ قَالَ رَأَيْتُ رَسُولَ اللَّهِ ﷺ أَذَّنَ فِي أُذُنِ الْحَسَنِ بْنِ عَلِيٍّ حِينَ وَلَدَتْهُ فَاطِمَةُ

بِالصَّلَاةِ

(رواه الترمذی و ابوداؤد وقال الترمذی هذا حديث حسن صحيح)

It is reported by Hazrat Abu Rafi رضي الله عنه that he saw the Messenger of Allah ﷺ say the call to prayer (the azan of the prayer) in the ear of Hazrat Hasan

وَعَنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّهَا

حَمَلَتْ بَعْدَ اللَّهِ بْنِ الزُّبَيْرِ بِمَكَّةَ قَالَتْ فَوَلَدْتُ بَقْبَاءَ

ثُمَّ أَتَيْتُ بِهِ رَسُولَ اللَّهِ ﷺ فَوَضَعْتُهُ فِي حَجْرِهِ ثُمَّ دَعَا

بَتَمْرَةٍ فَمَضَغَهَا ثُمَّ تَفَلَ فِي فِيهِ ثُمَّ حَنَكَهُ ثُمَّ دَعَا لَهُ وَ

بَرَكَ عَلَيْهِ وَكَانَ أَوَّلُ مَوْلُودٍ وُلِدَ فِي الْإِسْلَامِ

(رواه البخارى و مسلم)

Hazrat Asma bint Hazrat Abu Bakr رضي الله عنهما said that she conceived Abdullah bin Zubayr in Makkah. She gave birth to him in Quba. She took him to the Messenger of Allah ﷺ and placed him in his lap. He called for a date, chewed it and spat it in his mouth and then rubbed his palate. Then he made supplication for him invoking a blessing on him. He was the first child to be born in the Islamic period (after Hijrah among the Muhajireen).

(Bukhari, Muslim)

EXPLANATION:

Hazrat Asma رضى الله عنها was the elder sister of Hazrat Aishah رضى الله عنها. She embraced Islam in Makkah and was the eighteenth person to join the fold of Islam. She was married in Makkah to Hazrat Zubayr bin al-Awam. She migrated to Madinah while she was pregnant. She must have travelled the three hundred miles to Madinah with great difficulty. She stayed in transit at Quba about three miles from Madinah (then a settlement, now a city). She gave birth there to her son Abdullah bin Zubayr رضى الله عنه. Hazrat Abdullah bin Zubayr used to say that he migrated while he was in the womb of his mother.

Hazrat Asma رضى الله عنها took the child to the Prophet ﷺ and placed him in his lap. He sent for a date, chewed and spat it in the child's mouth. Then he rubbed it on his palate. He placed his hand on the child's head and prayed for blessing on the child. The first thing that entered the child's stomach was the saliva of the Prophet ﷺ. This child came to be known as Abdullah bin az-Zubayr رضى الله عنه and did much for Islam. We will write about it shortly. When he was born, the Muslims were much happy and said الله اكبر because the Jews had made it known that they had cast a spell on the Muslims so that no child would be born to them. Allah bestowed the Muslims - Ansars and Muhajirs - with many children and proved the Jews wrong. What

Hazrat Asma رضى الله عنها did was the practice of the Companions رضى الله عنهم. They took their new borns to the Prophet ﷺ and he performed *Talnik* and prayed for them. *Talnik* is what the Prophet ﷺ did with the child of Hazrat Asma رضى الله عنها the chewing of date, putting in the child's mouth and rubbing the palate.

روى مسلم عن عائشة رضى الله تعالى عنها ان رسول الله ﷺ كان يؤتى بالصبيان فيبرك عليهم ويحنكهم

Muslim has transmitted a Hadith from Hazrat Aisha رضى الله عنها that new borns were brought to the Messenger of Allah ﷺ who would invoke blessings on them, soften some dates and rub their palates with them.

THE AZAN AND IQAMAH IN THE EAR OF THE CHILD:

It is the Islamic way that when a child is born, it is given a bath. Then *Azan* is called in its right ear, and the *iqamah* in its left ear. The Holy Prophet ﷺ read the *azan* in the ear of Hazrat Hasan bin Ali رضى الله عنه and Hazrat Abu Bakr رضى الله عنه read it in the ear of his grandson Abdullah bin az-Zubayr رضى الله عنه. (Mishkat)

The *azan* and *iqamah* are said in a child's ears because the name of Allah may go into its ears before anything else. He is invited to faith and ritual prayer. He is told that he is on the religion that subscribes to unity of God. You have to live and die on this religion.

TAHNIK IS MUSNOON:

To perform *Tahnik* is *sunnah*. The child may be taken to any religious elder. Ask to chew dates or any such thing and perform the *tahnik*. Today, parents keep away from pious people. Their modern living parents prevent them from approaching pious people. How may then can be expected to take their children to them? If they have any desire to become pious only then will they perform *Tahnik*. There is no value of getting blessing from anyone.

The Holy Prophet ﷺ was mercy personified for everyone in the universe. He was particularly merciful to children. He loved dearly the children of the lady of Paradise. Hazrat Sayidah Fatimah رضي الله عنها and he loved other children too. Once Hazrat Umm Qays رضي الله عنها brought her child to the Holy Prophet ﷺ. He placed the child on his lap, and the child (who was not yet weaned) passed urine on his garment. (Bukhari, Muslim)

When Makkah was taken over, the people of Makkah brought their children to the Prophet ﷺ who prayed for them and invoked blessings on them. He patted them on their heads. (Mishkat)

Many people avoid picking up any child who belongs to another. They suppose that this is done only by spiritual elders. It is below their dignity to play with children. They are unaware of the practice of the Holy Prophet ﷺ. When children are before religious people and they remove the awe with which they hold them, then

انشاء الله. it will be easy to put them on religious line.

ABOUT HAZRAT ABDULLAH BIN AZ-ZUBAYR

The first thing that entered the stomach of Hazrat Abdullah bin az-Zubayr ؓ was the saliva of the Prophet ﷺ. When he was seven or eight years old, he pledged allegiance to the Prophet ﷺ. These things brought great results. He was the grandson of Hazrat Abu Bakr ؓ and son of Hazrat Zubayr bin al-Awam ؓ who was one of the ten given the glad tidings of Paradise. The Holy Prophet ﷺ had appointed him his special helper. His grandmother was Hazrat Safiyah رضي الله عنها who was the sister of the father of the Holy Prophet ﷺ. His mother was Hazrat Asma رضي الله عنها daughter of Hazrat Abu Bakr ؓ. May Allah be pleased with them. The Holy Prophet ﷺ was requested to accept allegiance from some young boys of Quraysh who had grown up (Abdullah bin Ja'far, Abdullah bin az-Zubayr, Umar bin Salamah). The Prophet ﷺ acceded to their request. The people had suggested that this would earn blessings for the boys. When they were brought before the Prophet ﷺ these youngsters hesitated and kept behind. However, Hazrat Abdullah bin az-Zubayr ؓ came forward. The Holy Prophet ﷺ smiled on seeing him and said "He is the son of his father." Like his father he is bold and

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moves towards good. When he was nine years old, the Holy Prophet ﷺ died.

Hazrat Abdullah bin az-Zubayr ؓ was a very devoted worshipper. He frequently kept fast and was very attentive in offering his prayers. When he was occupied in prayers he looked like a pillar (there was no sign of even a slight movement). His nights were spent in prayer. One part of it he stood in prayer, the next in the bowing posture and the third in prostration. According to Amr bin Dinar, he did not see anyone better in offering prayers than Abdullah bin az-Zubayr ؓ. He would be busy in prayers in the Hatim in the Ka'bah even while the enemies fired from the Manjaniq (catapult or ballista), an equipment of those days for firing ammunition. The bursts fell on his clothes but he was unconcerned. According to Uthman bin Abi Talha none could compete with Abdullah bin az-Zubayr in bravery, devotional worship or oratory. His voice was very loud. When he gave the sermon, he was loud and clear. When he was extracted from the corpses in the Battle of Jamal, he had forty wounds over his body and he was alive. (al-Asabah)

In spite of so many wounds he was alive. Allah let him live. His nephew Hazrat Hisham bin Urwa ؓ said about Abdullah bin az-Zubayr ؓ that the first word he uttered was *as-suyf*, the Arabic word for sword. He often uttered this word so that his father said, "By Allah, you will

be a warrior." (Tarikh ul-Khulafa)

REFUSING TO SWEAR ALLEGIANCE TO YAZID AND ESTABLISHING KHILAFAT AT MAKKAH:

He refused to swear allegiance to Yazid. In the year 64 or 65 AH, he established a *Khilafat* at Makkah. The people of Hidjaz, Yamen, Iraq and Khurasan pledged allegiance to him. He was Khalifah (caliph) for about nine years. He was Imam ul-Muslimeen for eight years and supervised the Hajj rites. In the month of Jumadi ul Akhar in 73 AH he was martyred by Hajaj bin Yusuf.

Abdul Malik bin Marwan had established a rebel government over Syria and Egypt with Hajaj bin Yusuf as the governor. Hajaj bin Yusuf laid a siege over Makkah and surrounded it for six months and seventeen days. He finally martyred Abdullah bin az-Zubayr ؓ. Thus, the rule of Abdul Malik bin Marwan spread over Makkah and other places.

THE MARTYRDOM:

When the enemies had surrounded Makkah, Abdullah bin az-Zubayr ؓ visited his mother Hazrat Asma bint Abu Bakr رضى الله عنها and enquired after her health. She said that she was unwell. He said that there was relief in death. She said, "It seems that you crave for my death while I wish to live until your fate is known in

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this battle. If you are killed, I would observe patience and earn a reward for that. If you succeed, I will be happy." On hearing her say so, Abdullah bin az Zubayr ؓ laughed. Then, on the day he was martyred, he again visited his mother. She was in the mosque. She advised him not to surrender fearing death on terms that are degrading. "By Allah, it is better to tolerate the edge of the sword respectfully than to evade the sword and prefer a whip and live in disrespect." Then, during the fighting he had a sword in each hand and he fought on until at Safa where he was struck between the eyes with a stone. The enemies went on striking him until he was killed. The Syrians chanted Allahu Akbar after killing him. Hazrat Abdullah bin Umar ؓ remarked that those people were better who had said Allahu Akbar on his birth than those who said it on his martyrdom. (al-Isti'ab)

THE CONVERSATION OF HAZRAT ASMA رضى الله عنها AND HAJJAJ:

After killing him, the enemies hanged the body of Hazrat Abdullah bin az-Zubayr ؓ on the gibbet. Hazrat Asma رضى الله عنها went to Hajjaj bin Yusuf. She was blind then. She asked him if the time had not arrived when the rider get down. Hajjaj asked, "This hypocrite?" She replied that he was not a hypocrite. He was one to fast and offer prayers at night. He treated everyone well. Hajjaj referred to her as an old woman and

asked her to go away as her senses had departed from her. She said, "By Allah I am in my senses. I had heard the Messenger of Allah ﷺ say that there will be a liar and a miscreant among the tribe of Thaqif. We have seen the liar (Mukhtar bin Ubayd Thaqafi) and I think you are the miscreant." (al-Isti'ab)

Another version says that Hajjaj bin Yusuf summoned Hazrat Asma رضى الله عنها but she refused to appear before him. He sent another messenger asking her to come to him otherwise he would send someone who would fetch her to him by her hair. She said, "By Allah, I will not come to you until you send someone to drag me to you by my hair." Then, he came to her himself and said, "Did you see what I did with the enemy of Allah?" She replied, "I see the result of this battle that you finished my son in this life but he has finished you in the Hereafter."

(Mishkat)

When Abdul Malik bin Marwan ordered for the corpse to be lowered from the gibbet, Hajjaj bin Yusuf complied. Meanwhile, Hazrat Asma رضى الله عنها kept on praying to Allah not to let her die until her son's corpse was lowered from the scaffolding. Hazrat Ibn Abu Malaikah was the one to convey the news to Hazrat Asma رضى الله عنها that the corpse of her son was brought down from the gibbet. She asked him to give her son a bath. He narrates, "We began to give him a bath. Whatever organ of his body we touched, it

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After killing him, the enemies hanged the body of Hazrat Abdullah bin az-Zubayr رضي الله عنه on the gibbet. Hazrat Asma رضي الله عنها went to Hajjaj bin Yusuf. She was blind then. She asked him if the time had not arrived when the rider get down. Hajjaj asked, "This hypocrite?" She replied that he was not a hypocrite. He was one to fast and offer prayers at night. He treated everyone well. Hajjaj referred to her as an old woman and

asked her to go away as her senses had departed from her. She said, "By Allah I am in my senses. I had heard the Messenger of Allah ﷺ say that there will be a liar and a miscreant among the tribe of Thaqif. We have seen the liar (Mukhtar bin Ubayd Thaqafi) and I think you are the miscreant." (al-Isti'ab)

Another version says that Hajjaj bin Yusuf summoned Hazrat Asma رضي الله عنها but she refused to appear before him. He sent another messenger asking her to come to him otherwise he would send someone who would fetch her to him by her hair. She said, "By Allah, I will not come to you until you send someone to drag me to you by my hair." Then, he came to her himself and said, "Did you see what I did with the enemy of Allah?" She replied, "I see the result of this battle that you finished my son in this life but he has finished you in the Hereafter."

(Mishkat)

When Abdul Malik bin Marwan ordered for the corpse to be lowered from the gibbet, Hajjaj bin Yusuf complied. Meanwhile, Hazrat Asma رضي الله عنها kept on praying to Allah not to let her die until her son's corpse was lowered from the scaffolding. Hazrat Ibn Abu Malaikah was the one to convey the news to Hazrat Asma رضي الله عنها that the corpse of her son was brought down from the gibbet. She asked him to give her son a bath. He narrates, "We began to give him a bath. Whatever organ of his body we touched, it

would detach from the body. We went on giving the bath and placing the organs in proper sequence in the shroud. When we were over, Hazrat Asma رضى الله عنها offered the funeral prayer over her son." (al-Isti'ab al-Asabah)

Where do we find such brave boys and such courageous mothers. Observe the courage and frankness of Hazrat Asma رضى الله عنها and the devotion and bravery of Hazrat Abdullah bin az-Zubayr رضى الله عنه. May Allah cause us to emulate them. Aameen!

When Hazrat Asma رضى الله عنها had a headache, she placed a hand over her head and said "This is because of my sins that I am punished. As for the sins that Allah forgives without punishing, they are numerous." (al-Isti'ab) Her days following her marriage were difficult. She would say that when she was married to Zubayr bin Awam he did not possess any wealth or slave. He had a horse whom he grazed and looked after. She carried the seed of dates on her back, then ground them into powder and fed the camels. Finally, Hazrat Abu Bakr رضى الله عنه sent her a servant who looked after the horse so that she had some relief. (al-Asabah)

Hazrat Asma رضى الله عنها was called *Zat un Nataqayn*. (Nataq is the cloth that is tied round the waist when doing something strenuous or for adornment.) When the Prophet ﷺ decided to migrate, she prepared the food for the journey. She could not find anything in which to wrap it.

Thus, she tore this cloth in two and wrapped up the provision for the journey in one and the other piece she tied round her waist. According to some narrations, Hazrat Abu Bakr رضى الله عنه advised her to wrap the water container in one and provision in the other. The Holy Prophet ﷺ told her that *in lieu* of her effort, Allah will grant her two cloaks in Paradise. (al-Asabah) Hazrat Asma رضى الله عنها was born twenty seven years before the Hijrah or migration to Madinah. She migrated to Madinah in the first year of Hijrah and gave birth to Hazrat Abdullah bin az-Zubayr. She spent her last days in Makkah where she died in 73 A.H., ten or twenty days after the martyrdom of her son. She lived a hundred years but all her teeth were intact and she kept her senses too. (al-Isti'ab, al-Isabah)

رَضِيَ اللَّهُ عَنْهَا وَارْضَاهَا وَرَضِيَ عَنْ زَوْجِهَا-

(May Allah be pleased with her and please her and may He be pleased with her husband and children)

AQIQAH

وَعَنْ أُمِّ كُرَيْزٍ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ اقْرَؤُوا الطَّيْرَ عَلَى مَكْنَانِهَا قَالَتْ وَسَمِعْتُهُ يَقُولُ عَنِ الْغُلَامِ شَاتَانِ وَعَنِ الْجَارِيَةِ شَاةٌ وَلَا

يَضُرُّكُمْ ذِكْرَانَا كُنَّ أَوْ إِنَّا (مشكوة بحواله ابوداؤد)

Hazrat Umm Kurz رضي الله عنها said that she heard the Messenger of Allah ﷺ say, "Let the birds stay in their roosts" (do not take omens on disturbing them). She said that she also heard him say, "Two sheep are to be sacrificed for a boy and one for the girl, but it does you no harm if they (the sheep) are male or female."

(Mishkat)

The Holy Prophet ﷺ dissuaded his followers from following the pre-Islamic customs among Arabs to draw omens. When they went out for some work, they would disturb the birds on the trees so that they flew away. They observed the bird seeing in which direction it flew. If it went to the right, they presumed it augured well for them and hastened to perform what they had in mind. If the bird flew to the left, they drew a bad omen from it and did not go ahead with their task which they thought would not be right for them. The Prophet ﷺ said that the birds must be left to their places.

THE DRAWING OF ILL WOMEN IN THE PRESENT DAY:

Like the ignorant Arabs of the pre-Islamic era, we find Muslims of today draw omens in a variety of manners. The women are more attracted to it. For instance, if a cat crosses the path, or someone sneezes, they presume that

their task will not be accomplished. If two shoes are one over the other, they say someone will go on a journey. When the hen crows, misfortune will befall and it is slaughtered. These things are nonsense. Every thing is decreed and happens as Allah has decreed it. A believer in the unity of God does not indulge in such presumptions. According to a Hadith. "It is like associating partners with Allah when one draws ill omens (from various things). (Mishkat)

If any Muslim cannot ward off such thoughts, he must not refrain from doing what he had a mind to do but supplicate.

اللَّهُمَّ لَا يَأْتِي بِالْحَسَنَاتِ إِلَّا أَنْتَ وَلَا يَدْفَعُ السَّيِّئَاتِ إِلَّا أَنْتَ وَلَا حَوْلَ وَلَا قُوَّةَ إِلَّا بِاللَّهِ (ابوداؤد)

"O Allah, no one brings what is good except you. And no one wards off the bad things but you. And there is no power and might save with Allah." (Abu Dawood)

Even today people use the animals to divine into the unknown. They place envelopes containing different predictions and teach their birds to pick up one at random whose contents would reveal the future of their anxious clients. Only Allah knows the future. These people who sit on the roadside with the envelopes and birds do not know what is in store for themselves. The Qur'an says:

قُلْ لَا يَعْلَمُ مَنْ فِي السَّمَوَاتِ وَالْأَرْضِ الْغَيْبَ إِلَّا اللَّهُ

"Say: 'None in the heavens and the earth knows the Unseen except Allah'." (an-Naml, 27: 65)

How very senseless! A man does not know what will befall him but an entity that has no intelligence can pick up the piece of paper that shows his future.

A Hadith tells us that if a person visits someone who predicts the unseen and asks him something, his ritual prayers (that he offers) for forty days are not approved. (Muslim)

According to another Hadith, "If anyone approaches a soothsayer and believes him in what he says, he has nothing to do with what was sent down to (Hazrat) Muhammad ﷺ.

(Abu Dawood)

One must abstain from drawing omens and visiting an astrologer or anyone who foretells the future.

THINGS TO KNOW ABOUT AQIQAHA:

The Hadith under discussion also tells us that two sheep may be sacrificed for a boy and one for a girl and it makes no difference if the sheep are male or female: Female or male sheep may be sacrificed for a boy and likewise for a girl.

The purpose behind the sacrifice is to obtain the pleasure of Allah. An animal may be sacrificed for *Aqiqah* and may also have someone

offer his sacrifice in the same animal. For example, five people may take one share each in the animal for their sacrifice (on the *Zil-Hajj* festival) and one man may have two shares for *Aqiqah* bringing seven shares in all. However, the sacrifice can only take place in the prescribed days. *Aqiqah* must be performed on the seventh day after birth of a child. Two things are done in *Aqiqah*: to sacrifice the animal for the pleasure of Allah and to shave the hair on the head of the infant. The hair may be weighed and silver equal in weight to it may be given in charity. Hazrat Ali ؓ narrated that the Holy Prophet ﷺ offered one sheep for the *aqiqah* of Hazrat Hasan ؓ and said to his daughter (the mother of the child). "O Fatimah, shave his head and give silver in charity equal in weight to his hair." The hair weighed one dirham or less. (Tirmizi) And that much silver was given in charity. (al-Mawatta)

According to Bukhari, the Holy Prophet ﷺ said, "You must perform a boy's *Aqiqah*. Therefore, shed blood on his behalf (sacrifice the animal) and remove the unwanted thing (the hair that had grown in the womb). In pre-Islamic days the head of the boy was shaved and the blood of the animal was rubbed on it. This is not the Islamic way. However, according to some versions after the head is shaved, it is smeared with saffron. Thus if anyone desires so, he may moisten saffron and smear it on the head of the infant once it is shaved. (Mirqah)

RULINGS:

- (1) Some books say that at the time the meat is chopped, the bones must not be broken as is held by Hazrat Ata. However, it will make no difference in the validity of the Aqiqah if the bones are broken as can happen when chopping the meat.
- (2) If the child has not been named earlier, it must be given a good name on the seventh day.
- (3) Two sheep for the aqiqah of a boy and one for a girl are prescribed, but if anyone sacrifices one male or female sheep for a boy, then this is also evidenced by a Hadith.
- (4) It is better to perform the aqiqah on the seventh day but it may be done later too if one has not been able to do it on the seventh day, thus if a child is born on Thursday, its aqiqah is done preferably on the Wednesday next. If it is done later, there is no harm. In fact, the aqiqah itself is mustahab. If it is not observed, there will be no sin.
- (5) There is no backing in Shari'ah for the custom of simultaneous sacrifice with the shaving of head. It is allowed by Shari'ah to shave the head first and then sacrifice the animal or make the sacrifice and then shave the head.
- (6) The animal that is valid for sacrifice is also

valid for aqiqah and that animal which is not allowed for sacrifice is not allowed for aqiqah too. This was described when discussing the sacrifice.

- (7) The meat may be distributed raw or cooked and fed.
- (8) The meat may be eaten by anyone, including the grandfathers, grandmothers, father etc. The head is shaved to remove the weak hair that had grown on the head when the child was in the womb. The hair that will grow afterwards will be strong. Besides, the pores open up when the hair is shaved off. The heat then comes out, also, the senses of hearing, smelling and seeing are strengthened. (Tuhfutul Wadood)

مستحب

